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O R,

I M P A R T I A L   R E P O S I T O R Y

O F

P U B L I C   E V E N T S.

For the YEAR 1782.

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P A R T   I I.

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L O N D O N :

Printed for J. DEBRET, (Successor to Mr. ALMON) opposite Burlington-  
House, Piccadilly. 1782.

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# T H E R E M E M B R A N C E R .

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*For the* REMEMBRANCE.

## MEMOIRS OF LORD RODNEY.

**H**IS Lordship was born in the year 1721. On January 21, 1764, he was made a Baronet, and on the 28th of May, 1782, made a Peer of Great-Britain by patent, by the title of Baron Rodney, of Rodney-Stoke, in the county of Somerset. He has had two wives; the first Lady Jane Compton, sister to the present Earl of Northampton. Her Ladyship died January 15, 1757, leaving issue two sons, George and James. George is now Member for Northampton: he married April 10, 1781, Anne, second daughter of the R. Hon. Thomas Harley. His second Lady is Henrietta, daughter of — Splicum, Esq. by whom he has one son, John, born May 10, 1765; and a daughter born December 24, 1766. His Lordship when a boy, being intended for the sea-service, he went early to that element; and had the good fortune to please his Commanders so well, that the late Admiral Matthews appointed him, on the 9th of November, 1742, to the command of the Plymouth man of war, a ship of the line, before he was twenty years of age; and in this ship he protected near three hundred sail of our Lisbon trade, through the midst of the French fleet of men of war, then cruising in the chops of the Channel to intercept them, and for which Sir George received the warmest acknowledgments from the merchants concerned in this Lisbon

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fleet; and he was confirmed in his rank by the then Lords of the Admiralty, and appointed to the command of the Sheerness; and soon after to the Ludlow Castle, of 40 guns, in which ship he fought, and took the Great St. Maloe's privateer, of ten guns, and one hundred men more than the Ludlow Castle. In the rebellion of 1745, he sailed in this ship for the coast of Scotland, where he performed important services; and in the Spring of forty-six, he was appointed to the Eagle man of war, then ready for launching at Harwich. In this ship he was ordered to join Commodore Fox, then cruising for a fleet of homeward-bound Martinique men; when he out-sailed his fleet, and took seven of them out of company; soon after this he was ordered to join Admiral Hawke in the Bay, then waiting to intercept an outward-bound fleet of French men of war, that is, in the year 1748, the Admiral fell in with, and engaged this fleet, when Captain Rodney, in the Eagle, performed wonders, even in the opinion of the gallant Hawke. In this fight, Sir George Rodney (then a very young man) had the Monarch and a sixty-six gun ship upon him at the same time; and the gallant Hawke was so apprehensive that young Rodney would be sunk; that he (the Admiral) actually bore away from the Tonnant, the French Com-

B

mander.

mander's ship, to the assistance of Captain Rodney.

Upon his arrival in London, the late Lord Anson introduced Captain Rodney to the late King; when his Majesty said to Lord Anson, "That he did not before think he had so young a man a Captain in his navy;" to which Lord Anson replied, "Sire, young Rodney has been six years a Captain in your Majesty's navy; and, without reflection, I wish, most heartily wish, your Majesty had one hundred more such Captains, to the terror of your Majesty's enemies." To this the King said, "We wish so too, my Lord."—I was by. Upon the peace of 1749, his Lordship, for his eminent services, was appointed to the command of the Newfoundland station, although he was then a very young man; and, upon the breaking out of the last war, our hero again took an active part. In the *Prince George* he sailed with the gallant Hawke upon a cruise; after which he was appointed to the Dublin man of war, in which ship he took Lord Amherst to America; and during the siege of Louisbourg, he protected the mouth of that harbour, surrounded with a turbulent sea, and an amazing fire from the enemy; after this important service, Sir George returned home, and the year after, was appointed to the rank of a Flag Officer, and his late Majesty was pleased to appoint him to the command of a squadron of men of war, destined to burn Havre de Grace, and the flat-bottomed boats collected there, to invade Old England; and this glorious piece of service he performed to the satisfaction of his King, his country, and to the terror of the perfidious French; and upon his return home, he received the thanks of his gracious master, and the warmest congratulations of his surrounding friends and countrymen.

The year following, the immortal

Pitt, and the rest of the Cabinet, planned an attack upon the French Leeward Islands, in order to compel that restless, ambitious, and perfidious people, to listen to proper terms of peace, and pitched upon Sir George Rodney to command this important expedition; but in the interim the late King died, and his present Majesty confirmed Sir George Rodney in this great undertaking, and accordingly Sir George sailed, arrived at the place of his destination, from whence he rapidly proceeded upon the objects of his expedition; he captured, with the late General Monckton, the islands of Martinique, Grenada, &c. for which he received the thanks of Parliament. When he returned home, he was created a Baronet, and soon afterwards made Master of Greenwich Hospital.

In the year 1770, there arose some disputes respecting Falkland's Island, between our Court and that of Madrid; and, in consequence, a war with Spain was hourly expected; in this situation of public affairs, Sir George Rodney offered his services to his Sovereign, which were accepted; he resigned his government of Greenwich, and took the command of a squadron destined for Jamaica, and to act in that part of the West-Indies, as matters might turn out between us and Spain. No war with Spain then took place; and when Sir George's three years command were expired, he returned home, where misfortunes upon misfortunes surrounded him; he lost his seat in Parliament; his creditors were many, and clamorous. He flew to the continent, and there remained for many years a fugitive for debt. But at last, in 1778, Providence raised him a friend in the generous and benevolent Duke de Biron, who supplied Sir George with a thousand guineas to bring him to his native country. Here he pined, he languished,



guished, unemployed, for a long time, whilst others of his profession were ruining all before them: The First Lord of the Admiralty, Lord Sandwich, was not his friend: but the present Duke of Chandos, his relation, though distant, patronised him; and at length he was appointed to the command of a squadron destined for the relief of Gibraltar.

He sailed, and soon fell in with a Spanish convoy, consisting of 23 sail, the whole of which he immediately surrounded, and captured; and on the 16th of January, 1780, he came up with and engaged a Spanish fleet of men of war, commanded by Don Langara, four of which, with the Spanish Admiral, he captured; blew up one, drove two on shore, and dispersed the rest. And after having performed these services, he sailed for the relief of Gibraltar, where he soon arrived, succoured that garrison, and detached stores, and all necessary habiliments of war, for the preservation of Minorca; after which, he sailed to the very mouth of Cadiz harbour, but the Dons, scared out of their senses, durst not face him; upon which he detached the major part of his fleet home, and then bore away, with only five ships of the line, for his station in the West-Indies; where, on the 17th of April, 1780, he engaged the French Admiral Guichen, with an inferior force: and it is said, that if he had been better supported, he would, on that day, have defeated the French fleet. Any account of the rest of his naval exploits, must be a repetition of several parts of this work, in which they are to be found, together with the several papers of authority, which elucidate all the particulars in them.

For the account of taking the Spanish transports, &c. see Part I. for the Year 1780, page 343. For the engagement with the Spanish Admiral, and all the particulars,

see the same Volume, page 345 to 356. For the account of his first engagement with Mons. Guichen in the West-Indies, see Part II. for the year 1780, page 33. For the account of his second engagement with the same French Admiral, see the same Volume, page 79. For the French account, see the same Volume, page 101, &c. Another Account of the same, see the same Volume, page 169. His letters from St. Lucie and St. Kitt's, upon being joined by the late Commodore Walsingham, in the same Volume, page 237. His attempt to retake St. Vincent's, see Part I. for the year 1781, page 144. His account of taking St. Eustatius, see the same Volume, page 260. Various particulars respecting the capture of, and effects at, St. Eustatius, see the same Volume, pages 293, 295, 318, 343, &c. His account of taking Demerary, Iſlequibo, &c. see the same Volume, page 305. His letter to the Marquis de Bouille, see Part II. for the year 1781, page 128. His account of his operations while the French took Tobago, see the same Volume, page 155. Governor Ferguson's account of taking Tobago, see the same Volume, page 246. Mr. Estwick's letters to him, see Part I. for the year 1782, page 28. His account of his engagement with Count de Grasse, for which he was made a peer, see the same Volume, page 357 to 363.

It has been the constant and uniform purpose of this Work, from its commencement with the American War, in the year 1775, to the present time, to preserve the fullest, authentic, and most impartial accounts of every public event; not confining the Work exclusive to the American war, which, for some years, was almost the sole object of attention, but extending the plan, as the events increased, to every other operation and transaction,

The

The following is an authentic List of the French Squadron in the action of the 12th of April, 1782, with its several divisions, &c. as found on board the Ville de Paris, after Lord Rodney had transmitted his dispatches to England, viz.

# L I G N E de B A T A I L L E,

Dans L'ORDRE Naturel.

## ESCADRE BLANCHE ET BLEUE.

### PREMIERE DIVISION.

#### Frigates.

Le Souverain	74	Experiment	} Flamme mi-partie, Blanche & Bleue, au mat de misaine.
L'Hercule	74	Le Sagittaire	
L'Auguste	80	La Resolve	
Le Northumberland	74	L'Hypocrite	

### DEUXIEME DIVISION.

Le Zels	74	} Le Cornwallis	} Idem, au grand mat.
Le Conquerant	74		
Le Duc de Bourgogne	80		
Le Marfellois	74		

### TROISIEME DIVISION.

Le Hector	74	} L'Engageant	} Idem, au mat d'artimon.
Magnanime	80		
Le César	74		
Le Diademe	74		

## E S C A D R E B L A N C H E.

### QUATRIEME DIVISION.

Le Glorieux	74	} Le Richmond	} Flamme blanche au mat de misaine.
Le Sceptre	74		
L'Eveille	64		

### CINQUIEME DIVISION.

Le Languedoc	84	} La Médée	} Idem, au grand mat.
La Ville de Paris	106		
La Couronne	84		

### SIXIEME DIVISION.

Le Reflexie	74	} La Galathée	} Idem, au mat de d'artimon.
Le Scipion	64		
Le St. Esprit	84		
Le Palmier	74		

## E S C A D R E B L E U E.

### SEPTIEME DIVISION.

Le Jason	64	} La Friponne	} Flamme Bleue au mat de misaine.
Le Citoyen	74		
Le Destin	74		
Le Dauphin Royal	74		

### HUITIEME DIVISION.

L'Ardent	64	} L'Astree	} Idem, au grand mat.
Le Neptune	84		
Le Triomphant	84		
Le Magnifique	74		

### NEUVIEME DIVISION.

Le Caton	64	} L'Amazone	} Idem, au mat d'artimon.
La Bourgogne	64		
Le Brave	74		
Le Pluton	74		

St. Jago

*St. Jago de la Vega, Feb. 28, 1782.* applied, the reduction of this island Tuesday the General Assembly will be above the united attempts of met, pursuant to prorogation and our enemies his honour the Lieutenant-Governor, Mr. Speaker and Gentlemen of the nor, having commanded the attendance of the House in Council and I sincerely lament that I am under Chamber, was pleased to make the the necessity of requesting your aid following speech: in giving efficacy to your grants for

*Gentlemen of the Council, Mr. Speaker, and Gentlemen of the Assembly,* Since the close of the last session, I have thought it a necessary precaution you should be in readiness to meet again upon any sudden emergency, convinced that it is by your concurrence and support alone, I can constitutionally expect to give vigour and effect to the efforts of the people.

I now find myself compelled to renew my application for your advice and assistance, and am persuaded; from your known zeal for the public welfare, that such an application will not be deemed too importunate, when you reflect, that at this interesting period, every regard to private convenience should give way to a just sense of our danger, and the instant necessity of making every possible provision for our defence.

The powerful armament of France to windward, (which have already proved too successful) and the late arrival of a formidable force at Hispaniola and Cuba, indicate a determined intention of the enemy, to prosecute the war in these parts with the utmost rapidity; I should therefore ill deserve the confidence reposed in me, did I not request you, in the most earnest manner, to give your immediate attention to such further measures as are indispensably necessary to repel an attack.—I place such confidence in the general spirit of the people, in his Majesty's sea and land forces, and in the exertions of the militia, to whom I have given every attention during your recess, that I trust, with our internal resources, properly called forth and

*Gentlemen of the Council, Mr. Speaker and Gentlemen of the Assembly,*

From a firm reliance of your loyalty, and the wisdom and unanimity with which you conducted the business of the last session, I trust that the result of your present deliberations will be honourable to yourselves, and acceptable to your Sovereign and the community.—I shall, at all times, be happy to concur with you in every measure which may tend to the safety and prosperity of this country.—

This day, the honourable the Council and Assembly presented the following addressee to his honour the Lieutenant Governor:

JAMAICA, 31.  
To his Hon. Archibald Campbell, Esq. Lieutenant-Governor and Commander in Chief of this his Majesty's island of Jamaica, and the territories thereupon depending



ing in America, Chancellor, and Vice-Admiral of the same.

*The humble Address of the Council.*

*May it please your Honour,*

We his Majesty's most dutiful and loyal subjects, the Council of Jamaica, return your Honour our sincere thanks for your speech at the opening of this session.

Truly sensible that your present application to us arises from your anxiety for the safety and welfare of this most valuable island, we meet your Honour with the utmost cheerfulness, and beg leave to assure you of our most zealous support and assistance.

The powerful armaments of France to windward (which we feel with concern have proved too successful) and the late arrival of a formidable fleet at Hispaniola and Cuba, call for the most strenuous efforts of every part of this community.

The confidence your Honour reposes in his Majesty's forces, in the exertions of the militia, and in the determined spirit of the people at large, we doubt not will be justified by the event, and we trust their united efforts, under your Honour's experienced abilities, with, with the blessing of Divine Providence, be crowned with success.

We acknowledge with gratitude, that the whole tenor of your Honour's conduct, and especially your solicitude to guard the families and properties, and to consult, as much as possible, the ease and accommodation of the people, in all your arrangements, has plainly shewn the protection and happiness of this country to be the unremitted objects of your attention, and we shall be happy to concur with your Honour in every further measure that may be necessary for the public defence and advantage.

To which his Honour was pleased to return the following answer:

*Gentlemen of the Council,*

I return you my thanks for your address.

The cheerfulness with which you have assembled at this season of the year, on the public account, and the offers you have made me of your support in the great charge I have assumed, afford a pleasing indication of the benefits which this island must derive from your wisdom, activity, and zeal.

It gives me particular satisfaction, that the line of conduct which I have hitherto pursued, has induced so flattering a mark of your approbation.

JAMAICA, &c.

To his Honour ARCHIBALD CAMPBELL, Esq. Lieutenant-Governor and Commander in Chief of this his Majesty's island of Jamaica, and the territories thereon depending in America, Chancellor and Vice Admiral of the same.

The humble address of the Assembly.

*May it please your Honour,*

We his Majesty's dutiful and loyal subjects, the Assembly of Jamaica, return your Honour our thanks for your speech at the opening of this session.

Though our attendance at this season of the year must necessarily be productive of great inconvenience, yet we assure your Honour that we shall ever cheerfully postpone the claims of our private interests and domestic avocations to the exercise of public duties.

The alarming military preparations of our enemies, we hope, will prove a powerful incentive to the zeal of his Majesty's subjects in this colony, and create a vigour adequate to all the purposes of defence.

We will with the greatest pleasure devote our deliberations to the pursuit and adoption of such measures as tend to give an efficacy to our grants for the fortifications at Port

Royal,

Royal, and your Honour may rely on our granting such further aids as are consistent with that œconomy, which, as faithful stewards of a people already labouring under heavy and oppressive burthens, together with accumulated calamities, we ought inviolably to preserve.

We beg your Honour to accept of our grateful acknowledgments for your promise of pointing out to us such articles as are superfluous in the detail of the public accounts, and we hope, by unanimity and dispatch, to manifest the sincerity of our wishes for the welfare of this community, and the ease of your Honour's administration.

To which his Honour was pleased to return the following answer :

*Mr. Speaker and Gentlemen of the Assembly,*

Accept my thanks for your Address, and for the wishes you express for the ease of my administration.

I receive, with pleasure, your assurances, that you will adopt such measures as may tend to give efficacy to your grants for the fortifications at Port Royal, and that I may rely on your further aids.—Such only will be asked, as are consistent with your duty as faithful stewards of the people, when every thing that is dear to them is at stake.

*To the GENTLEMEN, CLERGY, and Freeholders of the County of Middlesex.*

GENTLEMEN,

I most heartily congratulate you on the success of your steady, spirited, and generous efforts, in a cause of the first consequence to every elector in this kingdom, the cause of the right of election, so long depending between you and a former House of Commons. After many years unavailing struggles against a despotic administration, and a corrupt majority in parliament, your public virtue has by perseverance and unremitting

energy at last brought a question of infinite moment to a final decision in favour of liberty. We have now obtained a direct and unequivocal vindication of our most essential rights, rights coeval with the English constitution, that perfection of human wisdom, that noblest work of man. You have the high satisfaction of observing an upright senate assert the privileges of an injured people against the encroachments of power, and decide in favour of their fair and just claim to a share in the legislature. The proceedings of this House of Commons I shall with rapture transcribe from their *Votes*. You will, I am sure, accept them as the only atonement, which could be made under a good Government, for the violation of your franchises, and the injuries of former flagitious administrations. This branch of our constitution is now restored to its original form, and established on a foundation not to be shaken. No precedent can now be drawn from the injustice and violation of ministers. An *incapacity*, for the express purpose of defeating your declared intentions, will not be again created by a vindictive and venal majority in one part only of the legislature. A minister will not again nominate the representative for this respectable county to the great council of the nation. The man of your free choice will have the distinguished honour of representing you, and the glory is yours of having secured the same invaluable franchise to every elector in the island. Not the least trace will now remain of the various deep-laid plans of fraud and violence, of subtle insinuation, alarming menace, and direct insult, to which your calm and undaunted spirit always rose superior. The historian's page will however record the wickedness and infamy of your enemies, the public robbers of the rights of freemen, and will hold up the steady virtue of the Freeholders of

of Middlesex as an object of imitation to all future ages.

My excellent colleague, Mr. Byng, seconded and supported my motion with the zeal which always animates him in your service, and the cause of his country.

*Votes of the House of Commons.*  
Pages 574, 575. Friday, May 3, 1782.

The House was moved, That the entry in the Journal of the House, of the 17th day of February, 1769, of the resolution, "That John Wilkes, Esquire, having been, in this session of parliament, expelled this House, was and is incapable of being elected a member to serve in this present parliament," might be read.

And the same being read accordingly,

Resolved,

"That the said resolution be expunged from the Journals of this House, as being subversive of the rights of the whole body of electors of this kingdom."

And the same was expunged; by the Clerk, at the table, accordingly.

Ordered,

"That all the declarations, orders, and resolutions, respecting the election of John Wilkes, Esq. for the county of Middlesex, as a void election, the due and legal election of Henry Lawes Luttrell, Esquire, into parliament for the said county, and the incapacity of John Wilkes, Esq. to be elected a member to serve in the said parliament, be expunged from the Journals of this House, as being subversive of the rights of the whole body of electors of this kingdom."

And the same were expunged, by the Clerk, at the table, accordingly.

Give me leave, Gentlemen; to state a circumstance with respect to a business of this weight and moment, which I am sure will add to the plea-

sure you receive in this triumph of liberty. The victory was gained by the most honourable means, means worthy the goodness of the cause. No unfair method was taken to secure a majority, nor ministerial manoeuvre practised. No letter from the Treasury, no mandate from any secretary, issued to enforce attendance. The slightest solicitation was not urged by any man in power, nor a single emissary sent on the wing to collect scattered mercenaries, troops long kept up for the worst of purposes, but now happily disbanded. Every man was left to follow the dictates of his conscience, which insured our success. The ministers gave you only the same support as individuals this year, which they have regularly since 1768, with an alacrity manifesting a settled determination to uphold and support the rights of election, which they have restored.

I am happy, Gentlemen, to acquaint you, that the appointment of a Committee to examine into the present state of the representation of the Commons of Great Britain, is on the eve of being moved in the House of Commons by a gentleman of as great abilities, matured even in youth, as this country has at any time produced. You long ago suggested the idea of the propriety of such a measure, and in pursuance of your instructions I had the honour, in March, 1776, of moving the House for leave to bring in a *Bill for a just and equal representation of the people of England in parliament*, but without success. The solemn engagement between us in 1774, at a numerous County Meeting, in relation to this and other essential objects, I have never lost sight of, and shall ever hold sacred. Some of the more important particulars of that engagement, respecting the fair and equal representation of the people in the House of Commons, and the

shor-

shortening the duration of parliaments, are among the grand objects, the striking features of the intended enquiry. You will always find me, Gentlemen, uniformly pursuing the noble plan of liberty, which you early marked out for my conduct, and above all endeavouring to enforce the clear right of the people of England to the free and frequent choice of their representatives.

I am, Gentlemen;

With much respect and gratitude,

Your faithful and obedient

Humble servant,

JOHN WILKES.

*Prince's Court, Westminster,*

*Monday, May 6, 1782.*

*Copy of a letter from the Corporation of BRISTOL, signed by the Town-Clerk, to the Right Hon. General CONWAY, Commander in Chief of his Majesty's Forces, containing the freedom of that city, with the General's answer.*

SIR,

It is with pleasure I inform you, that at a full meeting of the Common Council, held upon Saturday last, the freedom of this city was unanimously ordered to be presented to you, as a testimony of the grateful sense the Corporation entertains of the laudable exertion you have made for bringing about a reconciliation between this country and America.

Mr. Alderman Pope, does himself the honour of waiting upon you with it; and your permission to enroll your great name amongst the citizens of Bristol, will give them singular satisfaction.

With the utmost respect, I am, Sir,

Your most obedient

Humble servant,

A. J. B. Town-Clerk.

To the Right Honourable  
Gen. Conway, &c. &c. &c.

*Little Warwick-street,*

*March 30, 1782.*

SIR,

I am favoured with your letter of the 25th instant, informing me of the great honour done me by the Common Council of the city of Bristol, in granting me the freedom of the city.

It is impossible, Sir, to be more sensible than I am of this high distinction conferred upon me by so great and respectable a body; nor can any thing more effectually encourage me to persevere in using my utmost efforts towards attaining the great end of a happy reconciliation with America, than this peculiar mark of their approbation.

I am, Sir,

With great truth and respect,

Your most faithful, and

Obedient servant,

H. S. CONWAY.

(A COPY).

Sir Ab. Ekton.

*Copy of a letter from WILLIAM MIDDLTON, Esq. to General CONWAY, Commander in Chief of his Majesty's Forces, transmitting to him the thanks of the Two Grand Juries of the county of SUFFOLK, as a public testimony of his parliamentary conduct.*

SIR,

As your political conduct has ever been consonant with my ideas of what would promote the welfare of this nation, I have always held it in the highest esteem; and it is no small satisfaction to me, that it now falls to my lot to transmit to you the thanks of the Two Grand Juries of this county collectively, as a public testimony of their approbation of the motion you made, in the House of Commons, on the 27th of last month, "to address his Majesty for the purpose of procuring a reconciliation with America." I most sincerely congratulate you, as a friend to your country, that so salutary a measure has at length met with the concurrence of Parliament. We may now look forward with well-founded hopes

hopes of a speedy end to the horrors of a civil war, which has raged in different parts of the colonies with aggravated fury for upwards of seven years. So many acts of cruelty have come under my own knowledge, that I must for ever detest the perpetrators of them, but shall ever venerate that man whose conduct in parliament formerly prevented, and I trust has now stopped, the horrors of a civil war in America. If I have said too much, I hope you will excuse it; my feelings dictated what my pen has written: and I remain, with great truth, SIR,

Your obedient, humble servant,

WILLIAM MIDDLETON.

*Crowfield, Suffolk,*

*March 22, 1782.*

*To the Right Hon. General Conway,  
Esq. Esq. Esq.*

*Little Warwick street,*

SIR, *March 30, 1782.*

I had the favour of your letter, transmitting to me the thanks of the Two Grand Juries of the county of Suffolk, for the part I have taken in parliament relative to the affairs of America, and particularly for the successful motion I made upon the 27th of February last, tending to a termination of the unnatural war so long carried on there. It is to the wisdom and humanity of the House of Commons, who gave efficacy to my feeble efforts, those thanks are due: but I beg you, Sir, to represent to the Gentlemen of your county, who have thought my conduct on the occasion worthy their attention, that nothing can be more flattering to my ambition than any mark of approbation from so respectable a body of your county.

I beg to add my sincere thanks for the very polite manner in which you have made this communication.

And am, Sir, with great truth,

Your most obedient, and

Faithful servant,

H. S. CONWAY.

*William Middleton, Esq. (A Copy).*

*Letter from a Gentleman Commoner at  
CAMBRIDGE to his friend at NOT-  
TINGHAM, dated March 24, 1782.*

"The late sudden and unexpected revolution in politics, has occasioned strange consternation here; and many an aspiring doctor, who, by preaching up the doctrines in vogue, was in full view of the mitre, is now with rueful countenance lamenting the versatility of the times, and his own ill fortune. And what increases the disappointment is, that we had not the least warning of the event, but had every reason in the world to suppose that the same reasons and sentiments would still be adhered to; so that those of our clergy, who have distinguished themselves in their fast-sermons, &c. &c. by stigmatizing the Trans-atlantic republicans, and their secret abettors at home, have lost all hopes of preferment, as, in the opinion of Dr. W—t—n, none but staunch Whigs can now succeed.

"*Tempora mutantur* indeed! All we can do is to endeavour to change with them as speedily and decently as possible: and it is some degree of consolation to reflect, that the doctrine of absolute submission and obedience to the higher powers, which has been of late so generally revived and adopted, will not make our case quite desperate; for it is always understood that we mean the "powers that be:" so that even a Nero would be with us as much the Lord's Anointed as a George, and equally the object of our adoration. Yet if this will not be admitted, if no other tokens of penitence will be allowed, we must lay by Filmer, Sacheverel, and Dr. T—ck—r, and take down the works of a Milton, Sydney, Locke, and Andrew Marvel, from the shelves where they have so long reposed, amidst venerable cobwebs.

"But what is to become of the country clergy? Poor souls! they cannot afford to read a news-paper; and therefore being quite ignorant of

of the late change at Court, are still, with bended knees and uplifted hands, most earnestly praying, by order, that the "hearts of the *King's rebellious subjects* may be turned, their malice assuaged, and their devices confounded;" and so they must continue to do, notwithstanding all General Conway's motions, till they are countermanded by their spiritual fathers, who, good men! have something very different to think of at present than either "*the time to pray, or the time to leave off praying.*" The case of the clergy is certainly very hard, as they are obliged to go with the times, and to preach up the doctrines in fashion at Court, otherwise you know they have had sufficient intimations from *one* that has power, a ghastly father, that no preferment is ever to be expected. But now they are left in the lurch with a witness! and some of them must be wise indeed in their generation, if they can make their late avowed doctrines accord with the Miltonian, Lockian, Revolution sentiments of a Richmond, a Rockingham, a Camden, or an Effingham.

"After all, it is certainly a very humiliating consideration to a conscientious minister of our established church, that his spiritual superiors expect him to be a gladiator, to fight for the Political Creed of the Court, whatever it is—or starve. Could the above noblemen and their friends, now they are got into power, remove this intolerable hardship, and make the clergy so far independent of the state, that they might enjoy *at least* their *political* sentiments undisturbed, and unawed, by the menaces of time-serving Pr-l-t-s, they would deserve the support and good wishes of every honest man, both among the clergy and laity."

*York Tavern, April 4, 1782.*

P R E S E N T.

*At a Meeting of the COMMITTEE of ASSOCIATION.*

Rev. Mr. Wyvil in the Chair.

Sir James Norcliffe, Sir R. D. Hildyard, Rev. Mr. Mafon, Mr. Morritt, Mr. H. Duncombe, Gen. Hale, Rev. Mr. Robinson, Mr. Dring, Mr. Duncombe, Mr. Shore, Mr. Wilfon, of Ayton; Mr. Courtney, Mr. Pool, Mr. Croft, jun. Mr. P. Milnes, Mr. R. S. Milnes, Mr. Hayes, Mr. Waines, Mr. Battle, Mr. Legard, Mr. Althorpe, the Dean of York, Rev. Mr. Croft, Mr. Sykes, Rev. Mr. Dixon, Rev. Mr. Comber, Mr. F. Smyth, Mr. Weddel, Mr. Yorke, Mr. Strickland, Mr. Childers, Sir G. Strickland, Mr. H. Thompson, Mr. Croft, Mr. Booth, Mr. Hill, Rev. Mr. Yarker, Mr. Chaloner, Rev. Mr. Bourne, Mr. Rawfon, Mr. Walker, Mr. James Milnes, jun. Mr. Tooker, Sir John Coghill, Mr. Withers, Rev. Mr. Cayley, Mr. Place, Mr. Shepherd, Mr. Wolrich, Mr. Stansfield, Mr. S. Quinton, Dr. Swainston, Rev. Mr. Dealtry, Rev. Mr. Dade, Mr. Elfley, Mr. Jackson, Normanby, Col. Thornton, Dr. Spencer, (elected this day.)

The several resolutions following were unanimously agreed to:

1<sup>st</sup>. That the thanks of this Committee be given to that independent majority of the Commons House of Parliament, who, on the 27th day of February last, voted for the question moved by the Right Hon. General Henry Seymour Conway, viz. "That it is the opinion of this House, that the further prosecution of an offensive war on the continent of North America, for the purpose of reducing the revolted colonies to obedience by force, will be the means of weakening the efforts of this country against her European enemies, tends, under the present circumstances, dangerously to encrease the mutual enmity, so fatal to the interests both of Great-Britain and America, and, by preventing an happy reconciliation with that country, to frustrate the earnest desire graciously expressed by his Majesty,

to restore the blessings of public tranquillity ;"—and who, by the strenuous and continued exertion of their zeal against all the arts and machinations of an insidious Administration, having unavoidably brought on their involuntary resignation, have opened to their countrymen the prospect of a speedy, equitable, and happy reconciliation with their American brethren.

2d. That in consequence of that dismissal of a profuse and dangerous Administration, the powers of Government having been entrusted with the avowed opponents of corruption, this Committee doth most faithfully confide in those honoured persons; as Ministers, determined to set the rare example of public frugality ; as patriots active to correct abuses themselves, and friendly to promote every wise and just measure of reformation which may be suggested by others, effectually to secure the freedom and independence of Parliament.

3d. That this Committee conceiving the task of Government; in the present moment, to be arduous, beyond the difficulty experienced in former periods, and being anxious to mark their high respect and deference to Ministers, who stand voluntarily pledged to the nation for a reduction of the undue influence of the Crown, doth postpone to their next meeting the resolution to call a General Meeting of the County of York, in order to submit to that great body of Freeholders, the necessity of presenting a petition to Parliament, in the course of the next session, for a redress of that fundamental grievance, the unequal representation of the people in Parliament.

4th. Resolved that Mr. Croft, Mr. F. Smyth, the Rev. Mr. Wyvill, Mr. Shore, Sir James Norcliffe. Mr. Withers, Rev. Mr. Mason, Mr. Morritt, Mr. Dring, and Dr. Swain-

ston, be directed to prepare an abridged report of the whole proceedings of this Committee, which, if approved at the next meeting of this Committee, shall be laid before the General Meeting of the county of York ; and that they be instructed to state in such report the judgment of this Committee, that unless a melioration of Parliament can be obtained on the principles of the Association, the best official regulations may soon be set aside, the wisest and most virtuous Ministers may soon be displaced by the prevalence of that corrupt interest now subsisting in the House of Commons, which its defective frame naturally generates, and which has already so nearly effected the ruin of this unhappy country.

Resolved, That this Committee do adjourn till to-morrow morning, at a quarter before ten o'clock.

C. WYVILL, Chairman.

## GUILDHALL,

Tuesday, April 11, 1782.

*Committee of the Livery of London, appointed to correspond with the Committees of the several Counties, Cities, &c. of the kingdom.*

Mr. Alderman CROSBY in the Chair.

Resolved unanimously, That the thanks of this committee be given to that independent majority of the Commons House of Parliament, who, on the 27th day of February last, voted for the question moved by the Right Hon. General Henry Seymour Conway, viz. " That it is the opinion of this House, that the farther prosecution of offensive war on the continent of North America, for the purpose of reducing the revolted colonies to obedience by force, will be the means of weakening the efforts of this country against her European enemies, tends, under the present circumstances,

circumstances, dangerously to encrease the mutual enmity, so fatal to the interests both of Great-Britain and America; and by preventing an happy reconciliation with that country, to frustrate the earnest desire, graciously expressed by his Majesty, to restore the blessings of public tranquillity;" and who, by the strenuous and continued exertion of their zeal against all the arts and machinations of an insidious Administration; having unavoidably brought on their involuntary resignation; have opened to their countrymen the prospect of a speedy, equitable, and happy reconciliation with their American brethren.—

Resolved unanimously, That, in consequence of that dismissal of a profuse and dangerous Administration, the powers of Government having been entrusted with the avowed opponents of corruption, this Committee doth fully confide in those honoured persons, as Ministers, determined to set the rare example of public frugality, as patriots active, to correct abuses themselves, and friendly to promote every wise and just measure of reformation, which may be suggested by others, effectually to secure the freedom and independence of Parliament.

Resolved unanimously, That, in the judgment of this Committee, unless a melioration of Parliament can be obtained, the best official regulations may soon be set aside, the wisest and most virtuous Ministers may soon be displaced; by the prevalence of that corrupt influence now subsisting in the House of Commons, which its defective frame naturally generates, and which has already so nearly effected the ruin of this unhappy country.

Resolved unanimously, That the said resolutions be signed by the Chairman, and published in the morning and evening papers.

BRASS CROSBY, Chairman.

Edinburgh, May 18.

To the PEERS of SCOTLAND.

MY LORDS,

I hope your Lordships will forgive me for addressing you in this public manner, as it is the last time I shall ever trouble you upon such an occasion.

My Lords, I think myself entitled to your attention, because, ever since I have been a Peer of Scotland, I have relinquished every interest of my own to promote your's; and because, on the present occasion, to afford you an opportunity of asserting the rights of a free election, I have possibly run the risk of offending a Ministry who profess to think as I do.

Your Lordships will very soon, at the ensuing election, either finally confirm or lose your privileges held out to you by the Treaty of Union; and, if you lose them, my name will stand for ever as a reproach to those who shall suffer so noble a relique of independence to be stolen from the community, and from the country to which they belong.

My Lords, it is obvious that I can have no other object in the present contest, but to prevent the mockery of an election without candidates, and the disgrace of such an election being voluntarily acquiesced in by men whose birth ought to inspire them with the highest sense of dignity and honour. I have the honour to be, with great attachment, my Lords, your Lordship's most obedient humble servant,

BUCHAN.

Kirkhill, May 17, 1782.

#### County of CORK Meeting.

At a meeting of the Gentlemen, Clergy, and Freeholders of the county of Cork, convened, pursuant to advertisement, at the county Courthouse, on Monday the 15th day of April, 1782,

Abraham



Abraham Morris, Esq. High Sheriff, in the chair.

Resolved unanimously, That national and independent legislation, being the fundamental right of the subject, without the establishment of which, we can never hope for security to our persons or our properties, is an object of great national importance; and that we will assert, promote, maintain, and defend, this, and all other our natural and inherent rights, by every constitutional means; solemnly declaring that no power or state whatsoever hath any right to make laws to bind this kingdom, save only the King, Lords, and Commons of Ireland.

Resolved unanimously, That the independence of the Judges, by holding their appointments *Quandiu se bene gesserint*, would be an additional security to this kingdom, for the impartial administration of justice.

Resolved unanimously, That any restriction on the commerce of this kingdom, imposed by proclamation, particularly during the sitting of Parliament, is injurious to the spirit of our Constitution; hath been pernicious, and may be fatal to our trade.

Resolved unanimously, That we recommend such a modification or explanation of the law called Poyning's law, as will entirely destroy that power assumed by the Privy Council, of altering or suppressing the bills of the Irish Parliament.

Resolved unanimously, That a Mutiny Bill, not limited in point of duration, is repugnant to every idea of liberty, unconstitutional, and a grievance.

Resolved unanimously, That as we hold the interests and connections of Great-Britain and Ireland to be inseparable, so we also declare their legislatures to be distinct and independent of each other; and that the security and firmness of the former

can only be maintained by the establishment of the latter.

Resolved unanimously, That the immense sums of which this country is annually drained, by remittances to the absentees of this kingdom, constitute a grievance worthy the consideration of the legislature.

Resolved unanimously, That the Commons of Ireland are the keepers of the purse of the nation, and as such ought to deal out the public money with frugality and œconomy; and that a prodigal expenditure of the public money, in unmerited pensions and unnecessary places, is unconstitutional, and a grievance.

Resolved unanimously, That the debt of this nation amounts to an enormous sum; the revenue not being adequate to the public expences, œconomy and retrenchment are essentially necessary to prevent new burdens being imposed on the subject.

Resolved unanimously, That the encreasing the salaries annexed to old and useless places, and the creation of new ones with large salaries, tend to augment the undue influence of the Crown, by encreasing the power of corruption in the hands of Government.

Resolved unanimously, That we will not vote for any person, as our representative in Parliament, who will not zealously support these our resolutions, and persevere in seeking a constitutional redress of these our grievances.

Resolved unanimously, That we rejoice in the spirit and religious toleration which now prevails through all ranks of people, and contemplate with satisfaction the national advantages likely to arise from the liberal indulgences which that spirit has extended to our Roman Catholic brethren.

Resolved unanimously, That we are fully determined to give every encouragement

encouragement and every proper preference to the manufactures of our country, but that such encouragement and such preference shall be proportionable to the industry, the integrity and good conduct of our manufacturers.

Resolved, That the thanks of this meeting be given to James Bernard, Esq. for his steady and constant, though unsuccessful, exertions in seeking redress for those grievances.

Resolved, That the thanks of this meeting be given to the Right Hon. Lord Kingsborough, James Kearney, and Francis Bernard, Esqrs. for their steady and constant, though unsuccessful, exertions in seeking redress for those our grievances.

Resolved, That the above resolutions be transmitted by the High Sheriff of this county, as instructions to our representatives for their conduct in Parliament.

AERA. MOREIS, High Sheriff.  
The High Sheriff having left the Chair,

Resolved, That the thanks of this county meeting be given to Abraham Morris, Esq. our High Sheriff, for his readiness in convening the county, and for his very impartial and proper conduct in the chair,

*To the Gentlemen, Clergy, and Freeholders of the county of Cork, convened, pursuant to advertisement, by the High Sheriff, at the County-court House, on Monday, the 15th of April, 1782.*

There is no event of my life has given me more satisfaction, nor can any honour be so flattering to me, as that I have now received; your public approbation of my parliamentary conduct, (more particularly so, as the period is now approaching when you will have it in your power to confer further obligations on those whose principles you approve.) Be assured I shall never lose sight of that duty, which I consider myself bound

by every tie to support, I mean the just representation of the wishes of my countrymen. And though hitherto all efforts to recover our national rights, and to obtain redress of the grievances we labour under, have proved ineffectual, the time, I hope, is now arrived; when corruption, over-awed by the virtue of the people, shall no longer dare to oppose their unanimous voice. And I trust, I may soon have it in my power to congratulate you on the full enjoyment of all your constitutional and commercial privileges.

I have the honour to be, Gentlemen, with the greatest respect, your much obliged and devoted humble servant,  
KINGSBOROUGH.

*At a meeting of Delegates from fifty-nine Volunteer Corps of the province of CONNAUGHT, held at BALLINASLOE, on Friday the 15th of March, 1782,*

General Earl of CLANRICARDE in the chair,

The following resolutions passed all unanimously:

Resolved, That we highly approve of the resolutions and address of the Ulster Volunteers, represented at Dungannon, on the 15th of February last, as they breathe the genuine spirit of liberty, loyalty, and toleration; and that we will co-operate with them, and all other corps who accede to their resolutions, with our lives and fortunes, in obtaining our just and hereditary rights.

Resolved, That we shall consider any member of parliament who shall oppose the voice of the nation, with respect to the grievances complained of in those resolutions, as betraying the trust reposed in him by the people, abdicating his representation, and deserving every stigma that can be inflicted on him by his country.

Resolved, That the present critical situation of this country, when unlimited corruption is become the settled

settled system of the minister, it is necessary that the people should interpose to direct the conduct of their representatives, who, deriving their power solely from them, have no right to disobey their instructions, as it would be absurd to call men *representatives* who act diametrically opposite to the sentiments of those whom they are sent to represent.

Resolved, That the virtue of the people is the most effectual check to the venality of the representative; and that if counties and independent towns will send men notoriously under the influence of Government into parliament, it is absurd in them to complain of that corrupt conduct which experience might have taught them to expect, and of which they are themselves the accomplices.

Resolved, That no man ought to be elected to serve in parliament, who will not, previous to his election, pledge himself to exert his utmost endeavours to obtain a redress of the national grievances, and to obey the instructions of his constituents.

Resolved, That the idea that private friendship and private obligations are a tie, with regard to mens votes for members of parliament, is founded in false notion of honour, and fraught with the most dangerous consequences to national virtue, as it is paying a private debt at the public expence, and fulfilling a duty to an individual, by a sacrilegious violation of that which we owe to the community.

Resolved, That it be recommended to grand juries to enter into such regulations, as will facilitate the calling of county meetings, to examine into, and direct the conduct of their representatives.

Resolved, That no power on earth has a right to make laws to bind this kingdom, except the King, Lords, and Commons of Ireland, and that we will resist with our lives and for-

tunes the execution of any other laws, as we should consider the being governed by a foreign legislature, over which we have no controul—absolute slavery.

Resolved, That we expect a declaration of our national rights from our legislature.

Whereas it has suggested to us, that the proceedings of the Irish nation, at this time, have been presented in England, as arising from a wish in the people of this country, to shake off all communication with Great-Britain,

Resolved, That we are perfectly convinced there is not a man in this kingdom who entertains a wish so inimical, so ruinous to the prosperity of both nations. On the contrary, we declare for ourselves, and we have the fullest conviction of its being the universal sentiment of the people of Ireland, that the present measures are intended to remove every object of jealousy, that we may clasp our sister nation to our bosom, and cement an indissoluble union between us, attached to her by every connexion, by every tie of interest and affection that can unite nations; surrounded as she is by an host of enemies; we are resolved, to share her liberty, and share her fate.

Resolved, That the thanks of the assembly be given to the delegates who met at Dungannon, on the 15th of February last, for their having so spiritedly stepped forward in the cause of their country; and that our secretary do send a copy of these resolutions to Captain James Dawson, their secretary.

Resolved, That four members from each of the four counties represented at this meeting (seven to be a quorum) be, and are hereby appointed a committee until the next general meeting, to act for the volunteer corps here represented, and as occasion shall require, to call general meetings of the province.

Resolved.

Resolved, That the following gentlemen are appointed as said committee, viz.

*County of Galway.*

Col. Walter Laurence

Col. Wm. Perffe

Major John Kelly

Counf. Geoghegan

*County of Sligo.*

Col. Cha. O'Hara

Col. Sir B. Gore, Bart.

Col. L. F. Irwin

Lieut. Col. J. Ormsfey

*County of Mayo.*

Col. Sir H. Bloffe, Bart.

Col. Sir N. O'Donnel

Col. D. G. Browne

Col. Edmond Jordan

*County of Roscommon.*

Col. Denis Kelly

Col. Rob. Waller

Col. John Caulfield

Major Henry French

Resolved, That said committee do appoint eight of their members to be a committee in Dublin, (any three of whom may act in the absence of the rest) in order to communicate with the Ulster Committee, and the delegates of such other corps as may think proper to come into similar resolutions, and to deliberate with them on the most constitutional, speedy, and effectual means of carrying them into execution.

In consequence of the said resolution, the committee has appointed the following gentlemen, viz. Col. Sir Henry Lynch Bloffe, Bart. Col. Sir Neale O'Donnel, Bart. Col. Cha. O'Hara, Col. Wm. Perffe, Col. Robert Waller, Col. Lewis Francis Irwin, Col. John Caulfield, Counsellor John Geoghegan.

Resolved, That the thanks of this assembly be presented to the Right Hon. the Earl of Clanricarde, for his zeal in the support of the rights of his country on every occasion, and particularly for his conduct on the present.

Resolved, That the thanks of this

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assembly be returned to Counsellor Geoghegan, delegate for the Galway corps, for the well-informed arguments made use of by him, and for his assistance in forming these resolutions.

Resolved, That the thanks of this meeting be returned to Ensign James Joyce, for his conduct as secretary at this meeting.

It being apprehended that sufficient accommodation cannot be found in a central town, to accommodate the numbers at one provincial review,

Resolved, That there be two reviews, one northern, and the other southern, in this province, the ensuing summer, the times and place to be hereafter fixed.

Resolved, That the Earl of Clanricarde is hereby appointed reviewing-general.

Resolved, That these resolutions be published.

Signed by order,

JAMES JOYCE, Secretary,  
Connaught Delegates.

*Abstract of the effective men in the different volunteer corps, whose Delegates met at DUNGANNON, and those who have acceded to their resolutions, and to the requisitions of the House of Commons of IRELAND, the 16th of April, 1782. Taken from the return of April, 1782.*

*Province of Ulster.*

Dungannon meeting,	153	
corps	—	26280
21 corps, since acceded	—	3938
Infantry since acceded,	2	
battalions	—	1250
Six corps of cavalry	—	200
Eight corps of artillery	—	420

Total 32088

Ulster corps, which have acceded since the 1st of April, 3 of infantry, and 1 battalion

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Two cavalry — —	92	met at Dublin, April 17,	
		1782	16983
Total of Ulster Artillery.	34152	10 corps of cavalry, who before acceded, and no delegates — —	580
Six-pounders — —	16	19 ditto of infantry Artillery, 9 corps — —	4398
Three-pounders — —	10		322
Howitzers — —	6		
Total pieces artillery — —	32	Total of Leinster Artillery.	22283

<i>Province of Connaught.</i>	
Ballinasloe meeting, 59 corps — —	6897
31 corps of infantry, who since acceded — —	5781
Cavalry, 8 corps — —	421
Artillery — —	270
Total	13439
Acceded since 1st of April, 4 corps of infantry, and 1 of cavalry — —	987

Total of Connaught Artillery.	14426
Six-pounders — —	10
Three-pounders — —	10
Total pieces artillery — —	20

<i>Province of Munster.</i>	
City and county of Cork	5123
68 other corps of infantry in the province — —	7987
Cavalry of the province, returned 15 corps — —	710
Artillery, 9 corps — —	221
Total	14041
Acceded since 1st of April, 15 corps of infantry — —	3921
Two corps of cavalry — —	94

Total of Munster Artillery.	18056
Six-pounders — —	24
Three-pounders — —	14
Howitzers — —	4
Total pieces artillery — —	32

<i>Province of Leinster.</i>	
139 corps, whose delegates	

Nine-pounders — —	2
Six-pounders — —	16
Three-pounders — —	14
Howitzers — —	6
Total pieces artillery	38

TOTAL NUMBERS.	
Ulster — —	34152
Munster — —	18056
Connaught — —	14426
Leinster — —	22283

Total 88918  
Artillery — — 128 pieces

Note, there are 22 corps, which have acceded, but have no returns as yet, and whose numbers are not included in the above.

The following, we are authorized to assure the public, is substantially the speech of Mr. Grattan, on the 16th of April, introducing his celebrated *Declaration of Rights*, and we trust will not be deemed unreasonable at a time when a subject of such moment to both kingdoms is on the tapis.

MR. SPEAKER,

I have found it necessary to change the form and enlarge the substance of the business of this day.

I have thrown the Declaration of Rights into the form of an humble Address to the Throne, and have added other matter that calls for redress. I have done this in a manner which I conceive respectful to the King, reconciling to the pride of England, and with all due tenacity of the rights and majesty of the Irish nation ;

nation; and if I sink under this great argument, let my infirmity be attributed to any cause, other than a want of zeal in your service. As to that part of the subject which concerns the rights of Ireland, I have nothing to add, but am rather to admire by what inexplicable virtue this nation has proceeded to the great act of her own redemption. I remember Ireland when she was a child; I have beheld her progress from injuries to arms, and from arms to liberty. You are no longer afraid of the French, nor of any kingdom, nor of any Minister; no longer a divided colony, but an united land, manifesting itself to the rest of the world in very singular instances of glory. Turn to the rest of Europe, and you find the antient spirit has expired every where but in Ireland.—Liberty yielded, or Empire lost.—Nations living upon the memory of past glory, and under the care of mercenary armies. But you have departed from the example of other nations, and have become an example to them. You have exceeded modern, and equalled antient Europe. Liberty, in former times, was recovered by the quick feelings and rapid impulse of the populace; but here, by the act of the whole nation reasoning for three years on her situation, and then rescuing herself by a settled sense of right pervading the land. England, in her opposition to Charles the First, mixed persecution with liberty; but you have sought liberty on her own principles. See the Presbyters of Bangor, advocates for the rights of Catholics; these men, tempering their rigid and exemplary virtue with the milk of the Gospel, propagate the creed of the Constitution, where they cannot advance the standard of religion, and the policy of union.

When we relaxed the penal code, we conceived it a mere act of bounty to the Catholics, but we were mistaken—it was an act of bounty to

ourselves likewise. You hardly had given them privileges when you felt your own, and magnified your liberty by enlarging the sphere of its action. You did not give away your own power, no;—you formed an alliance with Catholic power, and found in that alliance a new strength and a new freedom.

Had England in the first instance ceded, had she repealed, in the first instance, the 6th of George the First, it would not have done; you would have sunk under the weight of the obligation, and given back the acquisition with a sheepish gratitude. It was necessary that Ireland should be her own redeemer, to form her mind as well as her constitution, and erect in her soul a vast image of herself, and a lofty sense of her own exaltation. Other nations have trophies and records to elevate the human mind; and you had nothing to call forth the spirit of the land, except injuries, and therefore I am surprised that you should have proceeded through all the degrees of virtue with a perseverance, temper, and success, which not only set you above your own level, but make you equal those nations, modern and antient, whose histories you are accustomed to admire, and among whom you are now to be recorded. I dwell the more on this part of the subject, because I hold it necessary to pour into the public mind a considerable portion of pride, acting up to a great national character, founded on a great transaction. What is it that sets one nation above another, but the soul resident therein, and that *æthereal* fire! The armies of England were most numerous under her late administration; but the English soul, which should have inspired those armies, was gone. Nor was this act of your redemption confined to any body of men; all have had a share in it. There is not one man that washes his firelock this night, that is not a party

to this requisition, and plighted to support it to the last drop of his blood. It seems as if the subjects of Ireland had met at the altar and communicated. A national sacrament, juries, cities, counties, commoners, nobles, volunteers, gradations, religions; a solid league! a rapid fire!—[Here the writer was interrupted, and something is wanting.]

This leads me to the meeting at Dungannon. At first some censured that meeting; but I was of a different way of thinking, and approved of that meeting most exceedingly, and conceived it to be a very great event. The military at Dungannon, I conceive to have been an *original measure*, and like all original measures, matter of surprize, until it became matter of admiration. What more surprising, or less within the ordinary course of things, than the Convention Parliament? What more surprising than the manner of obtaining the Great Charter? The Barons met King John, not in Parliament, but in the field, and were in array when they formed the base of England. Great measures, like these, the meeting of the English at Runney Mead, the meeting of the Irish at Dungannon, are original transactions, not flowing from precedent, but containing in themselves precedent and principle. Did this meeting found itself on the Constitution? Yes; the Constitution gives every elector a share in it; this forms a *constitutional public*. To preserve this share, the electors must meet, must confer, must associate, for communities cannot act as individuals. Was the community called upon to confer? Yes! all the great constitutional questions had been lost, and the public cause, desperate in Parliament, fell into the hands of the nation. Had the late Irish Minister been less victorious here, he had called up all the nation to oppose him. Did the resolutions of this meeting tend to preserve the

Constitution? Yes! the meeting resolves that the claim of the British Parliament to bind Ireland is illegal; is there any man on earth that will deny this position? For what are the Volunteers associated, but for the preservation of the laws? And what is the claim of the British Parliament, but the subversion of all law? The meeting resolves, that the powers of the councils to smother and adulterate your laws, is a grievance; that is, they support your privilege invaded by these powers; they support you; you, if you are tenacious of your privileges; if not, they support Parliament, Parliament against you, *the rights of Parliament* against the temporary trustee who would relinquish them.

The meeting reprobates a perpetual meeting bill; so do we all. The meeting protests against a dependent judicature, an independent army, a legislative Privy Council, and a foreign Parliament, a monstrous combination this, and not a Constitution; something which supercedes you and your rights; and therefore these men, *the good men* at Dungannon, have acted for you, and have felt for you and your privileges; and accordingly you have very wisely acceded to their resolutions, and put the Irish Parliament at the head of this meeting, and of this armament, and made their determination the great act, uncontroversible right, and unalterable purpose of the nation.

You did not expect, some time ago, that it would have come to this, or that those men whom some of you have laughed at, parading the streets at first in awkward squads, (the *scarlet fever* some slight man used to call them) would have formed to that solidity of strength and eminence of virtue, as to have proceeded to the height of things! Wonderful propriety of conduct there must have been to have preserved those associations; no licence, no turbulence, no eccentricity.

tricity, infallible as the laws of motion; they live in the Constitution they preserve, and the spirit they inspire.

Let not England fear the Irish Volunteers; they would die for England, and her majestic race of men. Allied by liberty as well as by allegiance, the two nations form a constitutional confederacy. The perpetual annexation of the Crown is one great bond, but Magna Charta is a greater bond: it is easy to find a King, but impossible to find a nation who can communicate to you a great charter, save only England; and it is this which makes England your natural connection. This Island was planted by British privileges, as well as by British men; it is a connection, not as Lord Coke has falsely said, by conquest, but as I have repeatedly said, by charter. Liberty, we say, with England, but at all events liberty; and therefore the men who would make the connection quadrate with the fixed passion of the country, contend for the British nation, and the unity of empire. We are not growing in our claims, nor immoderate in our demands, nor vehement in our language; we have asked for a limitation of the mutiny bill, and a modification of the law of Poynings, under the authority of the British Constitution; and the independency of Parliament under the authority of the laws of God and man. This right is so interwoven with your nature, that you cannot part with it, though you were willing; you received it from God, and cannot yield it to man. Beside, you are too high in pride, character, and power, to suffer any nation to claim a right to make your laws; it is become a question of pride as well as of privilege; what would Europe say of you? What would history say of you? Subterfuges, negotiations, and all qualification or composition, will never do;

you cannot negotiate upon fundamental rights; the nation is committed, she cannot bend. Besides, England has brought forward the question, not only by making laws for this kingdom the last session, but by enabling his Majesty to repeal all the laws which England has made for America. What! has she consented to repeal the Declaratory Act against America, and will she retain the Declaratory Act against Ireland? Is she ready to acknowledge the *independency* of America, and will not she acknowledge the *liberty* of Ireland, the ancient kingdom of Ireland, with her charter and her crown? This, indeed, were an unconditional surrender, a surrender to arms. I laugh at those who call the liberty of Ireland the disgrace of England; such a principle would be the disgrace of England; it has been already her destruction. But if England (which I cannot believe) is capable of refusing to repeal the Declaratory Act against Ireland, after she has enabled his Majesty to repeal that which was made against America, if she were capable of imposing that distinction, you are incapable of submitting to it; no nation so little formed to bear any thing which looks like personal disrespect; many of us have received great honours from the people; can we, can I for instance, among others, take the civic crown from my head, and go under the yoke of the British supremacy, real or imaginary? Some of the gentlemen of this country are the descendants of Kings; can they pay allegiance to their ancestors crown on the head of every common man in England? Are colonists to be free, and these royal subjects slaves? Can the nation in this popular and royal predicament live cordially with the people of England except on terms of *perfect equality*. I have done with the claim of legislature, I now come to that of judicature.

The Irish House of Lords must have



have their judicature, their birth-right, their unalienable privilege ; it is the English Constitution. I must hear very strong argument indeed, before I can be brought to think that this country is unfit for the British Constitution. The supposed incapacity of Lords is an absurd way of talking : give them power, and you give them capacity. Cannot they have the opinion of the Judges ? Do not they correspond with the Judges of England ? Are not the Lay Lords of England as unacquainted with law as the Lay Lords of Ireland ? And is not Ireland capable of having Lay Lords competent to law ? The present men are so ? Are they not to adjudicate under the public eye ? Will not they be ambitious of a chaste discharge of a new power ?

Sir, I see in that House not only sound legal knowledge, but a young and glowing vigour, virtue, and capacity, that will assert and exalt the peerage of Ireland. But you are to consider this head in another point of view : you are responsible to England that this settlement shall be final, and therefore it must be radical. Do not you know that if the legislative supremacy is ceded, the jurisdiction will be the next subject of attack ; the wound opens again of the old splinter. These are great conjunctures, but I would not have them the ordinary course of things. I would therefore settle all our questions with England now, and shake hands with her for ever.

This question of judicature can't be distant from the question of legislature. If the 6th of Geo. I. is partially repealed, the claim of legislation is not ceded ; for the part of that act which vests the judicature in England is an exercise of legislative authority. To cede the latter, therefore, the law must be repealed *in toto*.—The judicature of course reverts to us, unless we pass an act, divesting the Peers of Ireland of their hereditary right, which neither we

nor the nation, and least of all, the House of Peers would assent to. Besides the execution of the appellant, judicature depends on the process of *the courts of Ireland*—it depends upon our sufferance. Is the nation disposed to such a sufferance ?

Therefore the question settles itself ; the judicature in all cases, cases of writs of error as well as others, is become impracticable, and must be included in the settlement. Yes, my Lord, you shall have your judicature, and you shall sit in the seat of your ancestors, dispensing justice according to the ways of the Constitution, in full nobility.

I cannot bear to see men of rank and property carrying about the world in their noble persons the evident badge of extinguished honour.

I now come to the third head, the Mutiny Bill [here he mentioned several reasons against its purity, and what kind of mutiny bill there must be.] He said it must be limited in time, in number of men, the articles of war set forth, and the English declaration of right in the preamble. He then went to the fourth head, the law of Poynings, under which the Councils had exercised a power of suppressing and altering bills, both which powers must be extinguished by law.

He concluded, that he conceived the present Ministry amical to Ireland ; they have been so to liberty, even down to colony liberty. If by the war they have lost thirteen colonies, yet, during the war Ireland has, from being a colony, grown into a nation.

If they know how to use Ireland, if, instead of seeking to soothe, they wish to redress Ireland ; if they will grant these specific terms, then our arms are their arms, and our volunteers their army : and let me add, this is a time when a venal parliament and a murmuring country will not serve either England or Ireland.

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The same sentiment of pensioned loyalty did very well when every thing was to be lost ; but won't do now, when things are to be recovered. You must advance the state now with a loyalty, amounting to a passion, such as a bribe don't inspire, but such as British privileges will inspire ; and for my part, these things being conceded, I will support the present government. I have in my hand the terms ; I will read them——6th of Geo. I. inadmissible—Foreign Judicature, inadmissible——Legislative power of the Council, inadmissible—Perpetual Mutiny Law, inadmissible. Limit and new mould the mutiny bill, extinguish the legislative power of the council, restore the power of Lords, establish the independency of Parliament.

These are my private terms. I speak to Viceroy and to Kings here in parliament ; and these being complied with, I will take a decided part with the present government. Consulted, if they please, but not *considered*. I don't say that men of character ought not to take office under this Administration ; these things being done, men of character ought to take office, and to possess the nation with a confidence in government, by showing, in the first offices of trust, the most faithful of her servants. When I disclaim office, I should not disclaim responsibility, nor impose a rule for others, but crave indulgence for a singularity. Yes, I will, if called upon, go into the cabinet the people's friend ; and I hope will return, unplaced and unpensioned—supporting, but not supported.

*Paris, April 23, 1782.*

After the taking of St. Christopher's and Nevis, a division of the fleet under the command of the Count de Barras, having on board a detachment of 500 men, commanded by the Count de Flechin, steered for the English island of Montserrat,

which capitulated the 22d of February. There were found in it 62 pieces of cannon of different bores, and six obitzers.

Capitulation of the island of Montserrat, between the Count de Barras, Commodore of the naval forces ; the Count de Flechin, Colonel of infantry, commanding a detachment of the troops of his Most Christian Majesty, on the one part ; and the Honourable Michael White, Lieutenant-governor of the island of Montserrat, on the other part.

Art. I. The island of Montserrat shall submit to the arms of the King of France, and receive this day a commandant and a French garrison.

Art. II. The inhabitants, or their proxies, shall be obliged to take the oath of allegiance to the King of France, in the space of one month, before the commandant of the said island, and those who may be prevented from doing it, by sickness or otherwise, shall obtain a delay.

Art. III. They shall observe a strict neutrality, and shall not be compelled to take up arms against his Britannic Majesty nor any other power ; they shall keep such arms as are necessary for the police of their negroes, but shall be obliged to make a declaration of the same to the justices of the peace, who shall be answerable for any bad use that may be made of them, contrary to the tenor of the present capitulation.

Art. IV. They shall keep until the peace, their laws, customs and ordinances ; justice shall be dispensed by the same persons who are actually in place ; and the expences of maintaining the courts of law, shall be defrayed by the colony.

Art. V. The Court of Chancery shall be held by the Counsellors actually in place, and in the same form : and the appeals from the said court shall be made to the Council of his Most Christian Majesty.

Art. VI. The rolls and the archives

archives shall be inviolably preserved, and security and bail for all borrowed money, such as they now stand, shall continue to be valid ; all English creditors, or others, shall have a right to demand and recover what is lawfully due to them.

Art. VII. The inhabitants and the clergy shall be maintained in the possession of their property, of what nature soever, and in their privileges, rights, honours and exemptions ; in the profession of their religion, and the ministers in the enjoyment of their livings.

Those who are absent, in the service of his Britannic Majesty, shall be maintained in the possession of their estates, which may be managed by persons authorized by a letter of attorney.

The inhabitants may sell their goods and possessions to whom they think fit.

They may send their children to England, to be educated, and send for them back again, and they shall have leave to send remittances to England, and go there themselves when their affairs require it, with a passport from the Governor.

Art. VIII. The free negroes and mulattoes shall continue to enjoy their liberty and possessions.

Art. IX. The inhabitants shall pay, as an only tax, the sum of 2000 moidores a year, payable monthly in this island to the Treasurer ; the first year only shall be paid in advance, at the time of the capitulation ; and in case the full sum could not be had that moment, hostages shall be given for the remainder.

Nevertheless, as the inhabitants judge that this sum exceeds their faculties, especially as it must be paid in ready money, they reserve to themselves the liberty of making representations to the Governor-general of the French Windward islands, to obtain a diminution and farther delay.

Art. X. The inhabitants shall not

be obliged to find quarters for the soldiers, except in extraordinary cases ; but the troops shall always be lodged at the expence of the King, or in houses that belong to him.

Art. XI. In cases when the King might have occasion for negroes to work, they shall be furnished by the inhabitants of the said island, to the number of 100 ; but they shall be paid at the rate of two escalins per day each, and fed at the King's expence.

Art. XII. The ships and coasting vessels belonging to the inhabitants at the time of the capitulation, shall be left to them as a kind of property. The ships which the said inhabitants expect from the ports of England, or other ports of the possessions of his Britannic Majesty, shall be received in the said colony during the space of six months, and they may load in return under neutral colours ; and even for the ports of England, with the special permission of the commandant ; and if the said ships should put into any of the English islands, the commandant shall be authorized to give permissions for them to come back to the said island.

Art. XIII. The inhabitants and the merchants shall enjoy all the privileges of trade granted to the subjects of his Most Christian Majesty, throughout the whole extent of his dominions.

Art. XIV. They may, with the permission of the Governor, export their commodities in neutral vessels to all the ports of Europe and America.

Art. XV. The seamen belonging to trading ships, privateers and others, who have no property in the said island, shall leave it in the space of six weeks, if they are not employed in the coasting trade, or owned by proprietors, who shall be answerable for them ; and they shall be allowed to go to the neutral islands.

Art. XVI. There shall be delivered

ed to the commandant of the French troops, all the artillery, all the effects depending of the said colony, belonging to his Britannic Majesty, all the powder, arms, ammunition, King's ships; and lists of them shall be delivered to the commandant.

At Montferrat, the 22d of February, 1782.

(Signed) The Count DE BARRAS.  
FLECHIN, and  
MICHAEL WHITE.

The Marquis de Bouille writes from Martinico, of the 1st of March, that the Count de Kerfaint has informed him of his having taken the colonies of Demerary, Essequibo, and Berbices.

*London, May 27.* On the 16th instant a courier extraordinary arrived from the Court of Peterburgh at the Hague, who, after having delivered his dispatches to the Prince Gallitzin, the Envoy Extraordinary from the Empress continued his route to London. The next day Prince Gallitzin and Mons. Maskow, the joint ministers from Russia; held a conference with the Pensionary Counsellor Mons. Bleisvick; and a conference was held the same day between them and the Stadtholder, at which the French Ambassador was present. The subject of these conferences was a memorial which has been presented by the Vice-Chancellor of Russia to the Dutch Ambassador resident at Peterburgh. The following is a copy of it:

"Sir, As soon as the Empress was informed of the resolutions taken by their High Mightinesses the States General of the United Provinces on the overture tending to a separate peace between Great Britain and the Republic, and the condition upon which it was to depend, her Majesty did not lose a moment to give all the effect possible to her mediation. The spirit of disinterestedness and humanity which dictated the first overture she is constantly actuated by; she has

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therefore made a new effort to bring matters to a favourable termination. With this view she has dispatched a courier express to London, charged with instructions to her Envoy at that court, analogous to the nature and importance of the object. The motives by which this Minister will endeavour to influence his Britannick Majesty to admit the proposal which is to be the basis of pacification will be founded on the perfect knowledge which his Majesty possesses of the impartiality professed by her Imperial Majesty, and the fidelity and constancy with which she has adhered in the face of all Europe to the principles adopted by her, and which are founded in justice.

"Her Imperial Majesty's principles bear too visibly the impression of the purity of her intentions for them to be misconstrued by their High Mightinesses. The frankness which she has shewn in all her actions, and the cordiality with which she has informed them of her determinations, inspired her with a full confidence that they will not take any step which may become prejudicial to the present state of the negotiation which has been entered upon, or change the pacific sentiments which they have held out.

"In this persuasion she has hastened to sound the disposition of the Court of London, relative to the principles of neutrality. It is natural consequently to understand their intention before an answer is returned, and to suspend, in the interim, every measure which might alter the situation of the Republic, with respect to whoever it may be. The Empress has too much respect to the wisdom and penetration of their High Mightinesses to entertain a thought of their swerving from those principles of moderation which it is so essentially necessary to observe, if they have a serious intention of promoting those salutary purposes which his Majesty has proposed,

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propofed, and which their High Mightineffes always appeared to countenance. It will not be without great regret that ſhe will ſee the hopes fruſtrated which ſhe has entertained upon this ſubject. The Imperial Miniſter has the honour of ſubmitting the above to his Excellency the Ambaſſador to their High Mightineffes, in reply to the communication received from him, dated March 17, of the reſolution of their High Mightineffes.

Comte DE OSTERMANN.

*From the Bengal Gazette, Auguſt 6, 1781.*

*Extract of news received from Madras, the 4th of Auguſt, 1781.*

“ Since Hyder’s defeat, Lally, his General to the northward of this place, has deſerted his poſt, and we have taken poſſeſſion, with the loſs of three men only, of a ſmall iſland near Pulicat, wherein there was a great deal of grain and rice. We are now in daily expectation of letters by land, the road being clear.—In the engagement with Hyder, by the returns we now have, we find there has been near four hundred of our army killed and wounded; ſeveral officers, amongſt whom is Mr. Grant, who by the wind of a ball, had his belly ſinged; he has been in great pain, but the danger is over. Hyder loſt his ſecond ſon Carim Khan, as well as Meer Saib, and ſeventeen head Generals; Monſieur Lally dead of his wounds; and Hyder’s killed and wounded, amounted to about 18,000. Hyder ran off with the utmoſt precipitation, and he is now at the poſt of the Goths, a place called Trinomol, where he is recruiting and gathering his ſcattered army.

Tippo Saib has been continually againſt Wandewath. Captain Flint wrote to the Council, three days ago, that unleſs he is immediately reinforced, he muſt unavoidably be under the neceſſity of ſurrendering the gariſon, conſiſting of about 400 men.

He has been night and day under arms, for ſome time paſt, both himſelf, officers and people, and are ſo reduced by fatigue, they are ſcarce able to ſtand. Tippo made an attempt of blowing up the gates with his heavy cannon; the firſt he ſucceeded in, and entered; but Captain Flint writes, that when the enemy entered and laid their cannon to the ſecond, that he brought two pieces to bear on them, and that the whole of his infantry played ſo warmly on them, that Tippo was obliged to make a ſpeedy retreat, having loſt one of his legs and a great number of men; and he writes that Tippo died of his wounds ſoon after. All theſe miſfortunes coming ſo faſt on Hyder, will either render him deſperate, or caſt a total damp on his military courage. General Sir Eyre Coote is on his way to Chingleput, to join Col. Pearce; they will firſt relieve Wandewath, Colonel Pearce is on his march, and we find from his returns, that his whole army which he marched with from Bengal, together with the Circar battalions, which have ſince joined him, amount only to 6000 regulars, and 30 pieces of cannon; but has got cattle and proviſion in great plenty.

An Engliſh Jew, a Mr. Lloyd, deſerted from Hyder in the laſt engagement. It ſeems that this Lloyd was Hyder’s head doctor for ſome time, and that he has, for a long time, ſupplied our army with intelligence from Hyder’s camp. A collection of 7,000 pagodas was made in our camp for him. General Sir Eyre Coote ſent him down here, and he gives in an account of Hyder’s effective army, amounting to 178,000 horſe and foot, excluſive of irregulars armed. As ſoon as the junction takes place, relative to Colonel Pearce’s detachment, General Coote, they ſay, intends to form two armies, and march againſt Arcot. We have now a very fair proſpect of putting a ſpeedy and final period to Hyder’s career.

*Leeuwarden,*

*Letuarden, April 18.* The following is the reply made to the answer of his Serene Highness, concerning the affairs of the Field-marshal Duke of Brunswick, by which his Highness endeavoured to exculpate him:

“ *Most Serene Prince and Lord.*

“ The letter of your Most Serene Highness in answer to ours of the 11th ult. having been notified to us, and submitted to our deliberation, we think it our duty to observe to your Serene Highness, that you seem to have misunderstood what was meant by the words *good citizens* made use of in our letter, and by which you think is meant a misinformed multitude, blinded by passion and prejudice; far from giving the above explanation, we may, and ought to assure your Highness, that the *vox populi* in this province is by no means that of a rash, unthinking vulgar, but rather that of the greatest part of the well-affected inhabitants, friends to their freedom and country, and, of course, respectable, who value, above all things, their tranquillity, but especially that trust and confidence so necessary between the members of government, to whom the public affairs, and the executive parts, are delegated; from that alone expecting the permanent welfare of this country. Such is the general way of thinking of those *good citizens*, of whom we speak in our letter, and for the reasons therein contained.

“ Mean while we have found, not without surprize, that in the said letter, your Highness challenges this province to give authentic proofs of the reasons they have to suspect the said Duke, as from this we cannot but conclude, that your Highness wishes us to become informers and parties against the said Duke; but if you will please to recollect, that the father of this country, William I, so beloved, and so worthy of esteem, with the other peoples of the Netherlands, who acknowledged above them, a legiti-

mate Sovereign, were very far from submitting to an imperious foreigner, though invested with an eminent and avowed authority, but at the same time the universal object of the best founded aversion of the inhabitants: we trust, that upon further consideration, your Highness will agree, that the measure alluded to, would be entirely derogatory to the dignity of Sovereigns, with which we are invested, and far beneath us. By our former letter we acquainted your Highness of the general hatred and discontent daily increasing of our *good citizens*; this we did with freedom, and because we deemed it our duty, which we hope to have discharged in that particular, with a safe conscience; and we beg leave to conclude by observing to your Highness, that your declaration in justification of the Duke, is not sufficiently satisfactory for us to subscribe to it: whereupon, &c.”

From the HAGUE GAZETTE, May 15, 1782.

*Amsterdam, May 13.* The following is a copy of a letter from Mr. Fox, Minister and Secretary of State, to M. de Simolin, Minister Plenipotentiary of her Sacred Majesty the Empress of all the Russias, with his Britannic Majesty. This letter, dated St. James's, 4th May, 1782, is of the following tenor:

SIR,

I have not at all delayed to lay before his Majesty the communication which you did me the honour of making to me the first of this month. His Majesty has received it as a new mark of the friendship of her Imperial Majesty, and as a proof of the lively and sincere interest which she takes in the restoration of the peace of Great-Britain and her ancient Ally. I believe it will be needless to remark to you, Sir, that his Majesty has understood, with the greatest satisfaction, that he has adjusted his

councils in all points conformable to the measures which his Majesty had already taken to second the good offices of the Court of Petersburg. The King moreover promises himself that her Imperial Majesty understands with pleasure that he has anticipated her Counsels, in having offered to the Hollanders the entire liberty of navigation, according to the treaty of 1674, between Great-Britain and the Republic; a treaty by which the principles of the Armed Neutrality are established, in their widest extent, to all the contracting parties. His Majesty then does not make any difficulty to say, that he will accept, as the basis of a separate peace between him and the States General, a free navigation, according to the principles demanded by her Imperial Majesty, in her declaration of the 28th of February, 1780.

You will permit me to remark, that in communicating to you the sentiments of his Majesty, I believe I need not repeat what I had the honour to write to you by his Majesty's orders, on the 29th of March last. If that letter has not produced the effects which her Imperial Majesty seems to have promised would be the effect of such a step towards a reconciliation, and on which alone, according to the report of the Ministers of her Imperial Majesty at the Hague, the Republic made the negotiation for a peace with Great-Britain to depend; and if, notwithstanding the moderation which his Majesty has taken pains to prove on this occasion, in terms the least equivocal, the Republic shall persist to oppose every idea of a separate peace, the King will always have the satisfaction of having acted in such a manner as to manifest the price he sets on the friendship of her Imperial Majesty, and the respect he has for her Councils.

I have the honour to be, &c.

C. J. Fox.

*State of SOUTH CAROLINA.*  
*By his Excellency JOHN MATTHEWS,*  
*Esq. Governor and Commander in*  
*Chief of the said State,*

A PROCLAMATION.

Whereas such measures only have been hitherto pursued, to prevent provisions from being carried within the enemy's lines, as were truly consistent with that mild and lenient exercise at all times, and on all occasions, of the extensive powers vested in the executive authority of this state. And whereas some ill-disposed persons, regardless of the true interests of this country, and blinded by avarice, have taken advantage of the moderation with which offenders against the orders hitherto issued have been treated, have persisted in the unwarrantable and infamous practice of supplying the enemies of the United States with provisions.

And whereas a due regard to the welfare of this state requires such measures to be now pursued as will immediately and most effectually remedy this growing evil; I have therefore thought fit, by and with the advice and consent of the Privy Council, to issue this my Proclamation, hereby strictly forbidding provisions of any kind to be carried, or attempted to be carried, within the enemies lines; at the same time forewarning all persons whom it might concern, that the vessels, carriages, horses, oxen, and negroes, which shall be taken carrying, or attempting to carry, provisions of any kind, contrary to the true intent and meaning hereof, together with the loading on board such vessel, or carriage, will be liable to seizure, and, on conviction, forfeited; the one half to the person or persons so seizing the same, and the other half to the use of this state: and all persons whatever within this State are hereby ordered and commanded to be vigilant in endeavouring to detect all offenders against this Proclamation;

clamation; and on seizing any such vessels, carriages, horses, oxen, negroes, or provisions, as aforesaid, to bring the said carriages, horses, oxen, negroes, and provisions, if practicable, before the nearest magistrate, who is hereby required to take cognizance of the premises, and to summon three freeholders to sit in judgment with him, and well and truly try whether the property so seized ought to be forfeited, according to the true intent and meaning of this Proclamation; and, on conviction, to adjudge the one half thereof to the person or persons so seizing the same, and the other half to be sold for the benefit of this State, and the neat proceeds lodged in the treasury thereof.

And whereas it may be found impracticable to carry such vessels, loaden as aforesaid, before such magistrate, the person or persons so seizing the same, are directed to lodge the vessel and cargo so seized as aforesaid, in some secure place, and as soon as may be give information to the nearest magistrate of such seizure, and where the same is deposited; which said magistrate, with three freeholders as aforesaid, are hereby required to repair to the said place of deposit, and there sit in judgment, determine, and adjudge, as herein before directed.

And whereas some of the citizens of this State may, at the time of seizing such vessel or carriage as aforesaid, be found on board of or accompany the same, the person or persons so seizing such vessel or carriage as aforesaid, are hereby ordered and commanded to take into custody, and convey or cause to be conveyed, the person or persons so found and taken as aforesaid, to the nearest militia guard, and delivered into the custody of the officer commanding such guard, who is hereby ordered and commanded to keep such per-

son or persons in safe custody, until he shall receive further orders from me, or the commander in chief for the time being.

Given under my hands, and the Great Seal of the State, at Jacksonburgh, this fourteenth day of March, in the year of our Lord, 1782, and in the sixth year of the Independence of the United States of America.

JOHN MATTHEWS,  
By his Excellency's command,  
Philip Prioleau, Secretary.

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*From the LONDON GAZETTE.*  
Whitehall, June 1.

*Extract of a letter from Major-general MEADOWS, dated BOMBAY, January 7, 1782, received at the office of the Earl of SHELBURNE, one of his Majesty's Principal Secretaries of State, May 30.*

As Governor Hornsby acquaints me that he shall have an opportunity of dispatching a letter by land tomorrow, I have just time to inform your Lordship of our arrival at this place on the 4th with the Monmouth, Hero, and Iñs, men of war, and about 300 of the 98th regiment, both the troops and seamen in the highest health and spirits, and eager as their officers to be employed. The Manilla armed transport is come in since, and the rest, as we left them about four weeks ago in Morebat Bay, from whence I had the honour to send your Lordship dispatches by Major Rooke, who was to return by Alexandria, we expect and hope for every day.

*Extracts of letters from WILLIAM HORNSBY, Esq. dated BOMBAY, the 27th and 31st of January, and received at BUSSORA, March 16th, 1782.*

Since my last to you a few days past, I have to acquaint you that all the



the armed ships, storeships, and transports, except one or two of the latter, arrived, and will sail the 30th for the Coromandel coast. The Latham, Osterley, Locko, and Asia, Indiamen, and one transport, got to Mocha, where they arrived the 4th or 5th of December; they were part of the convoy with Captain Alms, and parted company with him on the coast of Arabia.

The 26th instant I wrote to you by a Dingey bound to Muscat, informing you that the troops which I sent to reinforce Tellicherry arrived safe, and landed the 30th ult. and Major Abingdon, with those and a part of their former garrison, marched out from the Brass Pagoda the 8th instant, at four A. M. across the batty grounds to the Eastward, and passed two of the enemy's advanced posts or pickets, and got round to the Eastward of Great Putney Hill, between that and Ponnolla Mella. The advanced party under Captain Whippley immediately attacked, stormed, and took the former, without the loss of a man on our side. The main body immediately pushed for the camp of the enemy, and came upon them just at break of day, whom they fell on, and immediately put to the route; when they followed them to the Southward as far as Curachec, a small fort about one mile to the northward of Mihie river; this post they presently carried, and turned its guns upon the enemy, who were making the best of their way towards the river. Saddos Cawn, who made this post his head quarters, quitted and got to a fortified house, and inclosed within walls, cut out of a hill, where he, with several of his people, made an obstinate defence; but at last the roof of the house was set on fire, which obliged them to quit it, when many were killed endeavouring to make their escape. Saddos Cawn had secreted himself in

part of the inclosure, which was bomb proof, cut into the hill, where he and his family were found; himself had been wounded by a musquet ball in the ankle, and was not able to move. They were all immediately seized, and sent in prisoners to Tellicherry, with about 1500 prisoners which had been made during the morning. There was about 400 of the enemy killed and drowned. On our side there was not above 50 killed and wounded, and only one of our officers hurt, which was Lieutenant Woodington. We took six brass field-pieces, about sixty iron cannon, and four mortars, thirteen elephants, and a large quantity of shot, powder, stores, &c. in their redoubts and batteries.

The same evening, about seven o'clock, Lieutenant Hodges was sent with a strong detachment against Fort George, which the enemy getting intelligence of, they evacuated the Fort, and he took quiet possession of it. About two o'clock in the morning a body was sent over, and took possession of Mihie; and another party, under Captain Whippley, went over and took possession of Durmapatam, which island they found deserted by the enemy. In short, there is not a man of Hyder's left between Cotta Point five leagues to the Southward, and to the Northward as far as Cannanore. This was a very complete business.

All the vessels that were expected to arrive here by Capt. Alms have arrived; the Nancy tender was the last, and she arrived yesterday morning. All the rest, except the Porpoise storeship, Elizabeth, Eagle inow, and Nancy transports, have all failed to join the squadron. The Latham, Osterley, and Locko, Indiamen, with the Content transport, are said to have arrived at Mocha the 4th ult.

*From*

From the LONDON GAZETTE.

Whitehall, June 8, 1782.

*Extract of a letter from Lieutenant-general Sir EYRE COOTE, Knight of the Bath, dated Fort St. George, Jan. 28, 1782, received at the Office of the Earl of Shelburne, one of his Majesty's Principal Secretaries of State, June 4.*

After the action with Hyder Ally, on the 1st of July, my next object was to march to the Northward, in order to effect a junction with the Bengal detachment, and in the way to relieve Wandiwash, which was invested by a detachment under Tippo Saib, who had begun to raise batteries, and to make other necessary preparations for a siege. My movements had the desired effect, as Tippo Saib, upon hearing of my approach, drew off, and took the route by Gingee, by which road Hyder was also supposed to have moved towards Arcot.

On the 26th of July I arrived with the army at the Mount, marched again on the 31st, and on the 3d of August happily effected the junction with the Bengal detachment, and returned to the Mount on the 5th, where the whole encamped.

On the 16th the whole army marched from the Mount.

On the 26th I laid siege to Triplicore, and on the 23d, in the morning, it surrendered on terms of capitulation. The acquisition was of consequence, and happening at the time it did, was a most fortunate one, as the advance of Hyder's army, coming to the relief of the besieged, had in that very moment appeared in sight, and there only remained in camp one day's rice.

By means of the Paddy which we found in the Fort, I was enabled to serve out a few days subsistence to the troops; and hearing that Hyder was in full force, at the distance of about sixteen miles, I resolved to march towards him; but before I

could attempt it, I found it necessary to draw some rice from Pondamlee; which being done, I marched on the 26th, in order to engage the enemy, as the only hope that appeared to me left, from whence we might stand a chance of surmounting our difficulties.

Hyder, on my advancing, thought proper to fall back a few miles, to the ground on which he had defeated the detachment under Colonel Baille, where he took up a very strong position; and, influenced from a superstitious notion of its being a lucky spot, had determined, as I was informed by my intelligence, to try his fortune in a second battle. I accordingly marched, on the 27th in the morning, towards him; and, as reported, about eight o'clock we discovered his army in order of battle, and in full force to receive us, and in possession of many strong and advantageous posts, rendered the more formidable by the nature of the country lying between, which was intersected by very deep water-courses. In short, nothing could be more formidable than the situation of the enemy, and nothing more arduous than our approach. To present a front to them, I was obliged to form the line under a heavy cannonade from several batteries, as well as from the enemy's line, which galled us exceedingly, and was a very trying situation for the troops, who bore it with a firmness and undaunted bravery, which did them the highest honour, and shewed a steady valour, not to be surpassed by the first veterans of any nation in Europe. The conflict lasted from nine in the morning till near sunset, when we had drove the enemy from all their strong posts, and obliged them to retreat with precipitation, leaving us in full possession of the field of battle. Our loss on this occasion was heavier than on the 1st of July, and that of the enemy less,  
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owing to their having sheltered themselves under cover of the banks of tanks, and other grounds which they possessed favourable for that purpose. General Stuart had the misfortune to lose his leg by a cannon shot, whilst bravely conducting the second line to the support of a post which I had occupied at the commencement of the engagement, and on which the enemy had kept a very severe fire. The same shot also carried away the leg of Colonel Brown; and having caused his death, deprived the Company of a very old and faithful servant, and the army of an able and experienced officer. Capt. Hislop, one of my Aid de Camps, a very active and spirited officer, was killed by a cannon-shot.

On the 27th of September, near Sholingur, I discovered Hyder's encampment, and, from the disposition which I could perceive he had made of his troops, I was satisfied that he meant to give battle. It was about noon when I gave the orders for striking our encampment, and for the army to march: my orders were obeyed with a degree of expedition and alacrity beyond all expectation; for although the enemy were posted at least five miles off, from whence they did not advance nearer, the armies were engaged before four o'clock, and by evening Hyder was completely routed.

Our loss on this occasion was very trifling, whilst the enemy's was very considerable both in cavalry and infantry. We had but one subaltern officer killed, none wounded, and about one hundred rank and file killed, wounded and missing.

After relieving Vellore on the 4th of November, which in four or five days more must either have been evacuated or given up to the enemy. I proceeded to Chittor, to which I laid siege on the 8th, and it capitulated on the 10th.

Vellore being once more in distress for provisions, it was necessary that the army should again march to its relief.

Having made our arrangements, the army marched on the 2d instant towards Vellore. The enemy had assembled in force on the Western banks of the Ponj river, but on our approaching near, which was on the evening of the 9th, they decamped, and retreated with precipitation towards Lallapet; and left us to take up their ground in quiet, distant above twelve miles from our place of destination. On the following morning, at ten o'clock, when the army was crossing a deep morass, our rear and left flank were attacked by a distant cannonade from the enemy, whose different manœuvres were evidently with a view to impede our progress to Vellore, and to attack our baggage and convoy. Having been completely foiled in all their attempts to that end, they thought proper to retire about three o'clock in the afternoon, after having kept up a very heavy fire for about four hours. Our loss on this occasion was, killed, one Lieutenant, 19 native non-commissioned rank and file, and four horses.—Wounded, two Lieutenants, two European rank and file, one Souhedan, and 35 non-commissioned native rank and file.—Missing, one European rank and file, four natives, and one horse.

After the enemy had retired, I prosecuted my march, and encamped for the night within about four miles of Vellore. We arrived there the following morning, being the 11th, the very day to which I had been pre-advised by the Commanding Officer of the garrison, the provisions would last. A halting day had become absolutely necessary for the refreshment of the troops, and draught and carriage cattle, having come upwards of seventy miles in

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five days, so that I did not commence my march back until the 13th, on which day Hyder appeared in full force, and chose again to make an attack by a distant cannonade, when our army was crossing the same marshy ground where he attacked us on the 10th in going. About four o'clock in the afternoon the whole had got over the swamp, and having posted the baggage with a proper guard, I formed the line, and advanced upon the enemy with all the expedition the nature of the ground would admit of; upon which the enemy gave way, and retreated with precipitation. We pursued them till dark, and not without execution, as we kept up an advancing fire upon them. It being impossible to do more, we returned to our ground of encampment, where we arrived about midnight. Our loss on this occasion was very trifling; only one officer wounded, and about sixty rank and file killed, wounded and missing.

Colonel Crawford, of his Majesty's 73d regiment, having had my leave to return to Europe, will have the honour of delivering your Lordship this letter.

I should do injustice to the high sense I entertain of Col. Crawford's merit as an officer, did I omit on this occasion mentioning how much he has acquitted himself to my satisfaction, and with honour and credit to himself, in the whole course of a most trying campaign. He was next in command to me at the battle of Shelingur, on which occasion his conduct was deserving of the highest applause.

I have had occasion to make favourable mention of Lieutenant-colonel Owen for his distinguished conduct in resisting, with a small detachment, the united efforts of the whole of Hyder's army. Permit me the liberty of once more recurring to him as an officer of great military abilities; he has acquitted himself to

my highest satisfaction, and has rendered essential services to the public in the course of the campaign,

*From the LONDON GAZETTE.*

*Admiralty-Office, June 18, 1782.*

Capt. Domet, of his Majesty's sloop the Ceres, arrived at this office on Sunday morning, with dispatches from Lord Rodney to Mr. Stephens, of which the following are extracts: *Formidable, off Cape Tiberoon, St. Domingo, April 26, 1782.*

Since my last dispatches of the 20th of April by the Eurydice, I am happy to congratulate their Lordships on the capture of two more line of battle ships and two frigates, taken by the Squadron I had detached under the command of Rear-admiral Sir Samuel Hood; and inclosed have the honour to send a list of the ships taken, and a return of the killed and wounded on board his Majesty's ships that attacked them.

I am now with the fleet off Cape Tiberoon, and propose leaving Rear-admiral Sir Samuel Hood with 25 sail of the line, or as many ships as are in a condition to keep the sea, to watch the motions of the enemy at Cape François; and shall go myself with the crippled ships to Port-Royal, in order to hasten their retreating, and to take care that no delay be made.

*List of French ships captured on the 19th of April, 1782 by a Squadron of his Majesty's ships under the command of Rear-admiral Sir SAMUEL HOOD, Bart.*

Caton, 64 guns, 650 men, exclusive of troops.—Jafon, 64 guns, 609 men, exclusive of troops.—L'Aimable, 32 guns, twelve-pounders, 290 men.—Ceres, 18 guns, 160 men.

SAM HOOD.

*Return of killed and wounded on board his Majesty's ships Valiant and Magnificent, on the 19th of April, 1782.*

Valiant, 2 killed, 6 wounded. Magnificent, 4 killed, 8 wounded.

SAMUEL HOOD.

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*Formidable, Port Royal Harbour, Jamaica, May 5, 1782.*

Since my letter of the 26th of April, acquainting their Lordships of my being off Cape Tiberoon, and that I should leave a strong fleet, under the command of Rear-admiral Sir Samuel Hood, to watch the motions of the combined fleets at Cape François, you will please to acquaint them that I arrived in this Bay, with such ships as were in the most distressed condition, on the 29th of last month; since which every dispatch possible, both day and night, has been used towards refitting them.

I have the pleasure to acquaint their Lordships, that the *Ville de Paris*, of 104 guns, the *Glory*, of 74, the *Hector*, of 74, the *Cato*, of 64, and the *Ceres* (which I shall send with this express) are all safe arrived in this harbour.

It is with concern I acquaint their Lordships that the *Cæsar*, of 74 guns, and looked upon as one of the best ships belonging to the French fleet, was burnt in the night of the action, and upwards of 400 men, with a lieutenant and 50 English seamen, perished with her, notwithstanding every assistance possible was given. This fatal accident was owing to the extreme bad discipline of the French seamen, all of whom, upon their ship's striking, were guilty of every enormity and disobedience to their officers.

By what I can learn from the prisoners, it was supposed to be the *Diadem* that sunk in the action.

*From the CHARLES-TOWN GAZETTE.*

*Charles-Town, Feb 27.* A party of our cavalry, under the command of Lieutenant-colonel Thompson, on Monday last, fell in with Marion's corps on the Santee river, and totally routed them. Of the rebels about 80 were killed, wounded, and taken; amongst their killed was a

Major Benson, an officer highly esteemed by the enemy.

*March 9.* The gallantry and good conduct displayed by Lieutenant-colonel Thompson's detachment, in their late excursion to Santee, are mentioned in the following honourable terms, in orders:

"Lieutenant-general Leslie desires Lieutenant-colonel Thompson, and the officers and soldiers of the cavalry and infantry who served under his command, will receive his best thanks for the services performed by them on their late expedition.

"The Lieutenant-general cannot too strongly express to the army the opinion he entertains of the merit of Lieutenant-colonel Thompson's conduct upon that occasion, and of the spirited behaviour of the troops. The constancy with which they supported the fatigue of a long and very rapid march, claims not less his approbation and acknowledgment, than their late exertions in presence of the enemy.

"The Lieutenant-general observes with the highest satisfaction, that the militia have been taught, under the conduct of Captain Doyle, to unite with their accustomed valour a degree of readiness which would not disgrace the discipline of regular troops; and he desires their officers and men to receive his particular thanks."

*Extract of a letter from Kentucky, Dec. 6, 1781.*

"It is but lately that the fate of Colonel Loughrie, and his corps of Pennsylvanians, who were to do duty to the westward under the command of General Clarke has been publicly known. The rendezvous of the brigade was appointed to be at Wheeling. Col. Loughrie, whose regiment was composed of rifle-men, happened to be something in the rear, but dispatched a messenger to the General, informing him of his situation and strength

strength, at the same time requesting, that in case he could not wait till he came up to leave him a supply of provisions. The General pushed forward, leaving a few men with the provisions for the Pennsylvanians, and orders for them to follow to the mouth of the Miami; Loughrie followed, but the General went on to the Falls. During General Clarke's stay at Fort Pitt, the enemy at Detroit got intelligence of his preparations and designs; they detached a force of about 600, mostly Indians, in order to make a diversion in the Kentucky country, and, if practicable, to intercept the General's coming down the Ohio. This force reached the Mouth of the Miami time enough to give a fatal blow to the unfortunate Loughrie and his men, who, when they came to the appointed place of overtaking the other regiment, unsuspectingly landed, and were soon surrounded by the enemy, and the whole party, amounting to 140 men, were either killed, or taken prisoners. The particulars of this mortifying disaster we have from prisoners who lately made their escape from the Indians."

*March 2.* Major Fauntleroy, of the 4th regiment of Light-dragoons, who left the Southern army about three weeks ago, arrived in town this week with dispatches from General Green to his Excellency the Governor, and Gen. Comte Rochambeau.

The above gentleman informs, that General Wayne, with about 700 men, has marched within seven miles of Savannah, at a place called Cherokee-hill, and the enemy, it is said, have about 700 men at Savannah, chief part of which are militia.

The General Assembly of South Carolina have confiscated all British property in that State, and are about raising two regiments of Continental troops.

*March 26.* Our latest intelligence from the Northern counties of this province, now under the nomination

of Geo. Clinton, Esq. before he communicated the intelligence he had received from Mr. Edgar, to his council and assembly, sent a numerous crusade of his devotees into Vermont, which seized and carried off Messrs. Allen and Fay, the Delegates of that country to the Congress, and brought them, with 100 of their constituents to the gaol of Albany, where they now remain confined.

*March 27.*—An account of the expedition against the American Post of Tom's River, New Jersey, under the orders of the Honourable Board of Directors of Associated Loyalists.

On Wednesday the 20th instant Lieutenant Blanchard of the armed whale boats, and about 80 men belonging to them, with Capt. Thomas and Lieut. Roberts, both of the Bucks county volunteers, and between 30 and 40 other refugee loyalists, the whole under the command of Lieut. Blanchard, proceeded to Sandy Hook, under convoy of Captain Stewart Ross, in the armed brig Arrogant, where they were detained by unfavourable winds until the 23d; about 12 o'clock that night the party landed near the mouth of Tom's river, and marched to the blockhouse at the town of Dover, and reached it just at day light. On the way they were challenged and fired upon, and when they came to the works, they found the enemy consisting of 25 or 26 twelve-months men and militia, apprised of their coming, and prepared for defence. The post into which they had thrown themselves was about six or seven feet high, made of large logs, with loop-holes between, and a number of brass swivels at the top, which was entirely open, nor was there any way of entering, but by climbing over. They had, besides swivels, muskets with bayonets, and long pikes, for their defence. Lieut. Blanchard summoned them to surrender, which they not only refused, but bid the party defiance; on

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which

which he immediately ordered the place to be stormed, which was accordingly done, and, though defended with obstinacy, it was soon carried. The Americans had nine men killed in the action, and 12 made prisoners, two of whom were wounded. The rest made their escape in the confusion. Among the killed were a Major of the militia, two Captains, and one Lieutenant. The Captain of the twelve-months men, stationed there is amongst the prisoners, who are all brought safe to town. On our side two were killed. Lieutenant Iredell, of the armed boatmen, and Lieut. Insee of the loyalists, both very brave officers, who distinguished themselves on the attack, and whose loss is much lamented. Lieut. Roberts and five others were wounded, but it is thought that none of them are in a dangerous way.

*From the PHILADELPHIA PACKET,  
April 2.*

*Richmond, March 9.* A few days ago arrived here Lieutenant-colonel Lee, from the southern army, which he left on the 13th of February, and informs that Gen<sup>l</sup> Green, with the main body of the army, continued in a position north of Pon Pon River, within four miles of Jacksonburgh; the light troops were stationed on the south side of Ashley River, in the vicinity of Dorchester; that the British army remained in their fortified camp at the Quarter-house, preserving posts at James Island, and Haddrell's Point; that Brigadier-general Marian, with the militia and corps of state troops, was on the north side of Copper-river, for the protection of the inhabitants of that district; that the operating force of the two armies were nearly equal, including irregulars, no reinforcement having arrived at Charles Town, though very powerful bodies of troops were expected in the course of the ensuing month. That desertion prevailed in an uncommon degree in the royal army; the spirit of disaf-

fection was subsiding daily, and the unfortunate inhabitants, who had been deluded by threats of the enemy to oppose their country, were throwing themselves on the mercy of government; that the warmest friendship subsisted between the citizens and the army, and the hardships of service were mitigated by the constant and affectionate civility of the inhabitants; and the American troops preserved a perfect fidelity, notwithstanding a complication of wants; that Commissioners were appointed by the Generals Green and Leslie, to meet on the 20th of April for the removal of the cattle, &c. and the mode of war was totally changed, humanity having taken place of barbarity, and civility of rudeness; that Lieutenant-colonel Thompson, late Secretary to Lord Geo. Germain, had taken the command of the British cavalry; that General Wayne had confined the British forces in the state of Georgia to the town of Savannah; and that Col. White, at the head of his regiment of cavalry, had routed a body of Indians, making eighteen prisoners, and taking one hundred horses, with other booty.

The following letter from Mr. Washington to the Count de Grasse, appeared some time ago in the Paris papers:

*Williamsburgh, Sept. 26, 1781.*

I am unable to describe to your Excellency the painful anxiety, under which I have laboured, since the reception of the letter you did me the honour to write me of the 23d instant.—The motions of the naval force under your command, which your Excellency says may possibly happen, since the information communicated to you by the Baron de Clozen, obliges me to point out the consequences that may follow, and warmly to urge a perseverance in the plan agreed upon between us. Permit me, in the first place, to repeat  
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to your Excellency, that the attempt upon York, under the protection of your shipping, is as certain of success, as a superior force, and a superiority of measures can render any military operation; that the duration of the siege may be exactly ascertained; and, that the capture of the British army is a matter so important in itself, and in its consequences; that it must greatly tend to bring an end to the war, and put our allied army in certain possession of the most inestimable advantages.

If your Excellency quits the Bay, an access is open to relieve York, of which the enemy will instantly avail themselves. The consequences of this will be not only the disgrace of abandoning a design on which are founded the fairest hopes of the allied forces, after a prodigious expence, fatigue, and exertion, but the probable disbanding of the whole army; for the present seat of war being such, as absolutely precludes the use of waggon, from the great number of large rivers which intersect the country, there will be a total want of provisions, unless this inconvenience is remedied by water carriage. This province has been so exhausted by the ravages of the enemy, and by the support already given to our forces, that subsistence must be drawn from a distance, and that can be done only by a fleet superior in the Bay.

I earnestly beg your Excellency would consider, that if, by moving your fleet from the situation agreed on, we lose the present opportunity, we shall never hereafter have it in our power to strike so decisive a stroke. That the British will labour without intermission to fortify a place so useful to their shipping; and that then the period of an honourable peace will be farther distant than ever.

The confidence I have in your Excellency's manly spirit, and naval talents, leaves me no doubt that the consideration of the consequences that

must follow your departure from the Bay, will determine you to use all possible means for the good of the common cause. From the assurances of the most expert sailors, I am persuaded that your Excellency may take such a position in the Bay, as to leave nothing to be apprehended from any attempt of the English fleet; that this position will, at the same time, facilitate the operations of the siege, secure the transportation of our provisions by water, and accelerate our approaches, by landing our heavy artillery and warlike necessaries to York River, almost close to our trenches.

The force said to have arrived under Admiral Digby, as the news comes from the British themselves, may not only be exaggerated, but, perhaps, absolutely false; but, supposing it to be true, their whole force united, cannot be such as to give them any hopes of success in the attacking your fleet. If the position for your ships to lie at anchor, which we agreed upon, has since appeared impracticable, there is still another measure to be adopted, which, though much inferior as to the security and facility it will give to our land operations, may still be of advantage to our affairs; the measure I mean is to cruise off the Bay, so as to keep the Capes always in sight, and to prevent any English vessels getting in. Whatever plan you may adopt I am to press your Excellency to persevere in the scheme so happily concerted between us; but if you should find insurmountable obstacles in the way, let me ultimately beg of you not to relinquish the last mentioned alternative of preventing all vessels from the enemy entering the Bay of Chesapeake. The British Admiral may manœuvre his fleet, and endeavour to draw you from the main object we have in view, but I can never believe that he will seriously wish to bring on a general action with a fleet, whose force, I will answer for it, is superior



superior to the most exaggerated accounts we have of theirs. Past experience has taught them not to hazard themselves with equal numbers, and has drawn from them, unwillingly, the most respectful opinions of their enemy. Permit me to add, that the absence of your fleet from the Bay may frustrate our design upon the garrison at York; for in the present situation of matters, Lord Cornwallis might evacuate the place with the loss of his artillery, baggage, and a few men, sacrifices, which would be highly justifiable from the desire of saving the body of his army.

The Marquis de la Fayette, who does me the honour to carry this letter to your Excellency, will explain to you better than any other person, or than I can do by letter, many particulars of our present position. Your Excellency is acquainted with his candour and talents, which entitle him to your confidence. I have ordered him not to pass the Cape for fear of accident, in case you should be at sea; if this be so, he will inclose this dispatch in a letter from himself.

I have the honour to be, &c.

GEO. WASHINGTON.

The following letters have lately passed between Lord GEORGE GORDON and the Earl of SHELBURNE:

MY LORD,

I have the honour to acquaint your Lordship, by direction of the Committee of the Protestant Association of London, Westminster, and the Borough of Southwark, that they have unanimously appointed a deputation of conference to wait upon your Lordship, as one of his Majesty's principal Secretaries of State, and to solicit your Lordship's interest for the repeal of the late act in favour of Popery in England; and that the Gentlemen of the said deputation will wait upon your Lord-

ship on any day your Lordship is pleased to appoint.

I have the honour to be,

MY LORD,

Your Lordship's most obedient  
And humble servant,

G. GORDON.

*Welbeck-street, 31 May, 1782.*

Addressed to the Right Honourable the Earl of Shelburne, one of his Majesty's Principal Secretaries of State, &c. &c.

The Earl of SHELBURNE's answer.

Lord Shelburne presents his compliments to Lord George Gordon; and shall be very glad of the honour of receiving his Lordship, with the Gentlemen of the Protestant Association, next Wednesday morning, at half past eleven.

*Shelburne-House, Saturday,*

*June 1, 1782.*

Addressed to the Right Honourable Lord George Gordon, and superscribed "SHELBURNE."

*Shelburne-House, 7th June, 1782.*

MY LORD,

As your Lordship wished me to write my sentiments in answer to the application made to me by your Lordship, and the Gentlemen who accompanied you, for my support, in case of an application to Parliament for the repeal of the act of the 18th of the King, respecting persons professing the Popish religion, I desire to assure your Lordship, that neither you nor any of them can be more adverse than I am to any measure tending to encourage the growth of Popery: but in the act in question I can discover no such tendency. I am firmly persuaded nothing like it was intended by that measure; and that the acts of parliament remaining on the Statute-Book will be sufficient to prevent the success of any attempt so to misconstrue that act of parliament as to make it an engine in the hands of any emissary of the Church  
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of Rome to the prejudice of the Protestant religion. Your Lordship will permit me to observe to you, that there can be little colour for any complaint on the part of the Church of Scotland, as the act in question does not extend to that part of the united kingdom; and I know of no intention any where to alter the laws respecting these subjects in Scotland. I do not scruple to add it as my opinion, that any such alteration will be improper, which does not meet with the entire concurrence of that church.

Under these circumstances, I cannot too strongly recommend it to your Lordship to exert your whole influence to discourage any measure of which ill-designing men may avail themselves to endanger the public quiet, in a moment when it is of peculiar importance to the foreign and domestic interests of the country to preserve it.

I have the honour to be,

With great truth,

Your Lordship's most obedient

And most humble servant,

SHELburne.

A correspondent says, that part of Sir Samuel Hood's letter, which mentions the message from General Frazer, wherein he declares he is in no want of the Admiral's assistance, is by no means correct; either the gentleman who carried the General's message, grossly misunderstood him, or the Admiral did not comprehend the message delivered. That their whole hopes of relief was from Sir Samuel Hood, and him alone, the underwritten petition will plainly shew it; particularly the latter part will bear testimony how much the military were disappointed, while it exhibits the disloyalty of the inhabitants in the most glaring colours. A threat of a total desertion, and will clear up, beyond a doubt, what little hopes he could have

of retaining the garrison against our enemies, and at once exhibit the improbability of his sending such a message, and account for his surrendering the garrison so soon after it was supposed to have been sent.

To his Excellency THOMAS SHIRLEY,  
Esq. Captain-general, &c. &c.

The humble Address and Remonstrance of the officers of Militia and others, the gentlemen of this island, now in arms in this garrison, on behalf of themselves and the small remains of the said corps of Militia,

Sheweth,

That the underwritten, upon the appearance of a French fleet off this island, and a knowledge of their intention to attack us, voluntarily followed your Excellency with a part of the militia to this garrison, fully determined, from our zeal to our Sovereign, and a proper regard to the interest of this island, to defend it while prudence justified us, or till we should be relieved by his Majesty's fleet or army, at that time in the Windward Islands.

That your Excellency must be sensible how far we have carried our design into execution, by having witnessed with what readiness we at all times turned out and repaired to our posts upon any alarm; and your Excellency, with Brigadier-general Frazer, have testified your approbation in general orders.

That the *fleet and troops* which we looked upon for relief, have been arrived near three weeks, without affording us any assistance, and in all human probability cannot, from the superiority of the enemy by sea and land.

That from the very great *DESERTION* of the Militia, *few* are left in the garrison under the command of the underwritten; and from the very reduced and ruinous situation of the works of the garrison, and the numerous mortar and cannon batteries,

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new and almost ready to be opened on us by the enemy, we cannot flatter ourselves that resistance will be crowned with success.

That we cannot otherwise than assert, that our conduct *hitherto* has been soldier-like, and truly meritorious; and that we shall not stand accused by our Sovereign, or our countrymen, with dishonourable behaviour in this our Address to your Excellency, and in praying your Excellency to take into proper consideration our critical situation.

We beg leave to remind your Excellency, that many of the French subjects have claim to estates in several parts of the island, some of which estates belong to some of the underwritten, and that all the underwritten have families and property on this island.

That unless application be made in time on behalf of the underwritten, and the garrison should be taken by assault, or be reduced to the last necessity of surrendering, your *Remonstrants* would lose their estates and properties, and possibly would be sent to a French island or Old France.

That your *Remonstrants*, from their services in the garrison, humbly conceive that they may expect your Excellency and General Frazer's interference in their behalf, and that your Excellency, with Brigadier-general Frazer, *will make application* to the French General, that your *Remonstrants* may be *allowed to return peaceably to their homes*, and to retain their estates and properties, and *in case* your Excellency *should not think proper to make application*, that you *will permit your Remonstrants to do it themselves*.

(Signed)

Ab. Charles Adye,  
James George Verchild  
Archibald Eddale  
B. M. Brotherson  
Edmund Akers

} Aids de  
Camp to  
his Excellency.

Richard August Fairlie, Major of Brigade to the Militia

John Fairlie, Colonel to the 2d Battalion of Militia

Edward Gilliard, Capt. Grenadiers

Francis Phillips, ditto ditto

Milward Crooke, Capt and Adj.

Alexander Rawlins, Captain

Thomas Phipps, Lieutenant

William Rawlins, ditto

Francis Wardworth ditto.

Robert Adye, ditto

Henry Rawlins, ditto

Frederick Carrie, ditto

Thomas Cains, ditto

Samuel Crooke, ditto

Edward Cains, ditto

Joseph Eddale, ditto

(A genuine copy.)

N. B. Not having, without the militia, people to man the guns, the above threat obliged the garrison to capitulate.

The guns were the travelling artillery of the West Indies, left at St. Kitt's, and no part of the garrison of Brimstone-hill, as has been generally understood.

*Extract of a letter from Paris, May 31.*

"The Marine Minister received some packets from Brest yesterday evening, and at night nothing more had transpired than that the King's fleet had arrived at St. Domingo.— This morning we were informed of more particulars, namely, that the Viscompte de Mortemart, commanding the frigate the Richmond, which was taken by Mr. de Barras, in Chesapeake Bay, has brought dispatches from the fleet: he had a most favourable passage, but his health would not permit him to ride post immediately upon his arrival at Brest; he therefore sent a courier, and is expected himself the day after to-morrow. His dispatches inform us, that Mr. de Vandrevil had gone with the King's fleet, consisting of twenty-five sail of the line to St. Domingo.

Domingo, where he had been preceded by *Le Saggitaire* and *L'Experiment*, which had escorted the convoy; he there found Don Solano, who lay at anchor there ever since the 8th of April with fifteen ships. They mention nothing respecting the condition of our army; it is believed, however, that it cannot have suffered much, as the passage was a very short one, and Sir George Rodney did not think proper to pursue them. The principal officers who were killed on the fatal 12th of April, are Mr. de St. Cefaine, Flag Captain to the *Ville de Paris*, the Chevalier de Pavillon, Flag Captain to the *Triumphant*, Baron d'Escars, Commander of the *Glorieux*, and Mr. de Beaucause had his leg broke. These are the afflicting details which we were in expectation of receiving, which arrived this morning, and to which are added the following: The *Caton* and *le Jason*, which are not mentioned by Admiral Rodney, are lost to us, having sailed from *Basse-terre*, to join the fleet at St. Domingo: they were met near Mont Christo, by the division which preceded Admiral Rodney to Jamaica, and were taken; the Minister, however, reckons only seven ships lost. In this case there cannot have been any sunk as was said, but we must wait the arrival of Mr. de Mortemart, to be fully informed of all the particulars.

"M. De Grasse has written to several persons. He had confided the charge of his letters to Mr. De Fouquet, Colonel of the 2d regiment of Armagnac, to whom Admiral Rodney gave permission to go to Europe in the *Andromaque* frigate. The English papers had not exaggerated the complaints of M. De Grasse; he says, in express terms, in his letters, that he was abandoned by his seamen, and by part of the fleet: he bestows the highest encomiums on the *Triumphant*, *Pluton*,

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and some others, and on all those that were obliged to surrender. The following is the conclusion of one of his letters: "I have been beaten after an engagement of seven hours, with six ships against fourteen; I have surrendered under such circumstances, as that my friends need not blush for me when they see me again. The English fleet has been more successful than the King's, and is also under a little better discipline."

"The Admiral has received a violent contusion in the loins; he went to Jamaica, whence he was to be furnished with a vessel to convoy him to France. After all the clamour that has been raised against him, they are now endeavouring to excuse him, and find that he has been guilty of no fault, but that of having too much ardour: it appears that he broke his line to save *Le Zelée*, and that he was surrounded before he could receive any assistance.—It cannot be thought that he was abandoned.

"They do not think any thing about the taking of the forts, which defend the bay of Trincamale, since when Mons. D'Orves makes his appearance they must return to their former possessors.—It is true, that with all his fleet he could not force the entrance of the bay, were it defended but by three ships; but in landing his men, the English Admiral must quit his position, and put out to sea; and it is not imagined that, at any rate, they will wait the arrival of the French fleet.

"It was reported yesterday, that Mr. de Guichen had left Cadiz on the 17th of May with the Spanish fleet, and that M. d'Estaing had gone for Brest. Mons. d'Estaing is, however, still at his house of Passy, and Mons. de Guichen had certainly sailed on the 20th of May.

"The Duc de Bourbon had asked the King's permission to go as a volunteer to the siege of Gibraltar; it

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is said his Majesty has consented, and he only waits for the King of Spain's consent to make the necessary preparations for his voyage.

" Monsieur and the Comte d'Artois have given orders for constructing a first-rate ship, to repair in some measure the losses the King's fleet experienced at the Antilles; and the Prince de Conde has presented the King with the deliberation of the States of Burgundy, wherein they supplicate his Majesty, in the name of the Province, to accept of a ship of 110 guns,

" Mr. de Falkenheim failed on the 25th of May with his division from Minorca."

*From the DELHI GAZETTE,*

*Calcutta.*

*Copy of the public official account of the taking of Bijab Gurb, dated Camp, Bijab Gurb, Nov. 11, 1781.*

*To GENERAL STIBBERT, Commander in Chief.*

" SIR,

" I have the honour to inform you of the surrender of this place, which was taken possession of last night, by the European and native grenadiers and light infantry under Major Crawford.

" The Rhanny is allowed to reside in this province, or to follow her son, as she may chuse; and if the last, will be escorted to our frontiers by a proper safeguard. She is also to have fifteen per cent. on the effects in the fort.

" The behaviour of the officers and troops has been such, upon the whole of the service since the breaking out of the war, as to merit my warmest acknowledgments, and I hope it will be in some measure rewarded by the prizes from the effects in the fort.

" Had not the besieged surrendered, a mine would have been sprung immediately on their refusal, which

would most probably have given a practicable breach for the storm.

I have the honour to be &c.

W. POPHAM.

By letters from Bijah Gurb, dated the 12th instant, we learn, that Commissioners were appointed to make the dividends of the prize-money to the officers and troops upon that service. The treasure in the fort, on which the Rhanny is to have fifteen per cent. is supposed to be very great, but the amount is not at present known. The first dividend already paid is 44,000 rupees to a field officer; to a Captain 22,000, and to a subaltern 11,000; and it is expected that a very considerable sum will be shared from the sale of the jewels, and gold and silver utensils which were found in the fort.—Accounts were received on the 8th, that Cheyt Sing was within 40 crofs of Bijah Gurb, with an army of 5,000 men, marching to the relief of the place. There is no doubt but that he will make off with all possible speed, as soon as he receives the unwelcome news of the capitulation; his only remaining hope was on Bijah Gurb being able to hold out.

The following account of the riches, plundered in the principal fortress of the unfortunate Raja of Benares, is taken from the Calcutta Gazette:—

*Bijab Gurb, Nov. 12, 1781.*

This day the first division of prize money was distributed, and amounted to 25 lacs.

	R. S.
Major Popham's share	— 2,94000
Each Major	— 44956
Captain	— 24782
Subaltern	— 11239
Serjeant	— 200
Subadar	— 300
Jemidar	— 140
Havildar	— 100
Naick	— 80
Sepoy	— 50

This distribution was made immediately after the surrender of the place.

place, by a committee of four Field Officers, Captains, &c.--Besides which there is as much more money as will make a second division, amounting to above half of the first, exclusive of 26 bales of very fine shawls, a great quantity of broad cloth, diamonds, rubies, emeralds, precious stones, &c. in so much that a subaltern will share upwards of 20,000 R's. The reason for settling the first division in such a hurry was to prevent the government from laying their hands on it.

(*2d of Zickabab, (22d of October.)*)

Advices had been received at Delhi, dated the 26th of Ramzan, (September 16) which mention, that Timor Shah Abdalee had arrived at Caboul, with a very large army, and is preparing to march into Hindostan. He was encamped five coss from Caboul in his way. His intentions are to invade the Moultan, attack the Sicks, and afterwards to proceed to Lahore.

Cassids have come here from Timoor Shah's camp, and mention, that he was arrived at Little Caboul, but that his troops had refused to proceed, till he should perform his promise of giving them two months pay.

This Timoor Shah is the son of the famous Ahmed Shah Abdalee, who was formerly in the service of Nadir Shah, and upon the assassination of that monarch, seized the vast treasures which had been deposited in the Castle Herat, and carried them off into the mountains of Afghanistan, where his standard was presently joined by numbers of needy followers, and with this army he soon founded an independent kingdom to the eastward of Persia.—He twice invaded Hindostan, and at the time of his second invasion, carried away into his country a daughter of the Imperial House of Timur, whom he gave in marriage to his son the present Shah. Probably this alliance may be made the ostensible pretence for the present intended invasion.

The following is a transcript of the accounts received at the India-House, respecting the late successes in India:—"Since writing the above, and just as we were sealing it, we have received information, though not officially, of the success of your arms under General Sir Eyre Coote, against the main army of Hyder Ally, on the plains of Arcot, on the 27th of last month. We have every reason to believe the information true; and in the fulness of our joy at such an event, we cannot close this dispatch without indulging in the most liberal congratulations with our country on the repeated and most distinguished national services of Lieutenant-general Sir Eyre Coote. The importance of the service which he has thus rendered to Great Britain, can only be equalled by the gallantry with which, amidst the storms of the Monsoon, and in a very bad state of health, he flew from the tranquillity of his official duty here, in October last; and both by his example as a soldier, and able conduct as a General, began what we hope he has now completed, the relief of the Carnatic. A Member of this Board had an opportunity, in his way hither, to witness personally the many uncommon difficulties against which Sir Eyre Coote had to struggle, to effect this great and brilliant service; and he has no hesitation in saying, that he is persuaded no officer but one of General Sir Eyre Coote's attention to the native troops, and wonderful perseverance, under ill health and every military distress, could have conducted himself so patiently and completely to the overthrow of the enemy. My Lord Macartney's assiduity, zeal, and exertion, were equally conspicuous, in collecting and forwarding supplies for the army. We have, without the loss of a moment, transmitted this news to the Governor-general, and vested him with full powers to turn it to the public

public advantage, in finishing a peace with the Marattas, and completing the relief of the Carnatic, by directing the Presidency of Bombay and General Goddard to raise enemies in his own dominions. From Benares to Bombay letters may pass in 28 or 30 days.

E. WHEELER.

J. M'PHERSON.

Bombay is at this time in a perfect state of defence: so that if the enemy had formed any designs there, they must be entirely frustrated: with the forces under General Meadows they now reckon 4000 European soldiers there.

The Hannibal French man of war, of 74 guns, is generally believed to be lost in the East-Indies, as there was a rumour before the Swallow sailed that the French had lost one of their capital ships.

*Hague, April 19.* The island of St. Thomas is already far beyond what St. Eustatius was with regard to commerce. The Danish flag is universally respected, and trade is very freely carried on to North-America under protection of that flag, but that there is at present a great want of shipping for Europe.

*Hague, April 21.* Extract from the register of their High Mightinesses, the States-General of the United Provinces, dated Friday the 19th of April.

"Having resumed the deliberations upon the first and second address of Mr. Adams; the former presented to the President of the Assembly of their High Mightinesses on the 4th of May, 1781; and the latter on the 9th of January last, requesting them, in the name of the United States of North-America, to permit the said Mr. Adams to deliver his credentials to their High Mightinesses; and further, in his last address, requesting a categorical answer on that subject;

"It is determined to admit the said Mr. Adams as Ambassador from the United States of North-America to their High Mightinesses, and he is accordingly by these presents admitted and acknowledged as such.

"Signed W. BOREEL.

"And underneath, W. FAGELL."

Mr. Adams has had a visit from the French ambassador, with whom he held a conference of two hours.

*Extract of a letter from the Hague, April 28.*

"Last Thursday, it is said, the Provinces of Holland came to a resolution relative to the answer to be given to the Memorial of the Russian Ministers, of which the following is the substance, viz. "That the interest of the Republic made it necessary to concert a plan of warlike operations with France for the ensuing campaign, and to admit a Minister from the United States of America, and that their High Mightinesses were obliged to decline the proposal made by Great-Britain to enter into a negotiation for a separate treaty of peace upon the footing of 1674, and that notice of this resolution be given to the Russian Minister in the politest terms."

*Hague, April 29, 1782.*

The credentials of Mr. Adams are to the following purport:

"High and Mighty Lords,  
"The States of America, in Congress assembled, highly sensible of the wisdom and magnanimity of your High Mightinesses, and of your invariable attachment to the rights of mankind, and desirous to cultivate the friendship of a nation distinguished for its prudence and moderation, have appointed Mr. John Adams, late Deputy to Congress from the State of Massachusetts, and Member of the Council, to reside near your H. M. as Minister Plenipotentiary; that he may have a nearer

nearer opportunity of giving particular assurances of the high esteem which the said States entertain for your H. M. intreating you to repose an entire confidence on every thing that shall be said to you on our part, especially in assuring you of our friendship and veneration. We pray God, High and Mighty Lords, to have you in his holy keeping!

“ Given at Philadelphia, the 1st of January, 1781, and of our Independency the 5th.

By the Congress of the United States,  
Your friends,  
(Signed) G. HUNTINGDON,  
President.”

The above credentials having been laid before the Assembly of the States General, their High Mightinesses came to the following resolution, on Monday, April 2, 1782 :

“ Monf. Borkel, Chairman of the Assembly for last week, has reported and notified to their H. M. that Mr. John Adams had, &c.

“ Resolved, that the said Mr. Adams is, by these presents, declared fully acceptable to their H. M. and that he shall be acknowledged as Plenipotentiary, and audience granted to him, whenever he requires it: of this notice shall be given to the said Mr. Adams, by the Agent Vander Buch de Sprerengrghoeck.

(Signed) W. VAN SITTERS,  
H. FAGEL, Pensionary.”

This favourable resolution gave Mr. Adams an opportunity of presenting the following memorial to their High Mightinesses :

“ The underwritten Minister Plenipotentiary from the United States of America, has the honour to inform their H. M. that he has it in command from his States to propose to the Seven United Provinces a treaty of amity and commerce between the two republics, founded on principles of mutual advantage, and no ways incompatible with the arrangements already taken with their

allies, or such treaties as they may hereafter enter into with other powers; the underwritten therefore proposes that your H. M. will nominate a person or persons invested with full powers to treat on so important a matter.

(Signed) JOHN ADAMS.  
*Hague, April 23, 1782.*

In consequence of Mr. Adams's memorial, committees have been appointed to confer with him on the object it contains; on the other hand, their H. M. have in a few words answered the proposals of Russia, for a peace with England, by saying that they begged to decline any negotiation of that kind, as the engagements they had entered into with France, for the next campaign, were too far advanced.

*Hague, May 26.* The Prince de Gallitzin, Envoy Extraordinary from the Empress of Russia, has delivered the following letter to the Greffier Fagel :—

“ When you lay before your High Mightinesses the copy of the letter of Mr. Fox to M. Simolin, which we had the honour to communicate to you, will you make them observe, that it is a consequence of a new step taken by the Empress, on occasion of the resolution of their High Mightinesses of the 4th of March, which was communicated to her; and before she was informed of the resolution taken by the Court of London, relative to our Memorials, respecting the communication of a negotiation for peace with their High Mightinesses, made by the Minister of that Court, after our Memorial of the 3d of April; and that, although according to the interpretation that has been given to Mr. Fox's letter, we look upon this second one as superfluous, we have, notwithstanding this, the satisfaction to propose it, as a fresh testimony of the high good will of her Imperial Majesty towards this State, and of the generous care she



she is willing to take to make them enjoy, as soon as possible, an honourable peace, and that shall perfectly agree with their own wishes, expressed in the same resolution of the 4th of March.

I have the honour to be, &c.

(Signed) D. P. DE GALLITZIN."

*Utrecht, June 10.*

The following note was delivered by the Comte D'Ostermann, to the Baron de Waffenaar Storrenbourg, Ambassador from our Lord; the States-General to the Empress of Russia:—

" Their High Mightinesses the States-General of the United Provinces have already been informed, by the Ministers of her Imperial Majesty, furnished with credentials to them, of the resolutions taken by the King of Great-Britain, relative to the proposition heretofore made by their High Mightinesses, as the basis upon which the whole negotiation of a peace under the mediation of her Imperial Majesty was to rest. The most pleasing expectation that the Empress forms, from all her endeavours and disinterested views is, that they may be crowned with success; and she cannot but be highly pleased, that they have succeeded so well with his Britannic Majesty, and that by her mediation he acceded to the before-mentioned proposals, which were so strongly wished for by their High Mightinesses, for the restoration of a treaty, very justly considered by them as the most valuable pledge of the freedom of commerce to the Republic. If then, in this point, she has fulfilled her duty in the double capacity of a sincere and affectionate friend to the Republic, and an impartial mediatrix between that State and Great-Britain, she has a right to expect, with the fullest confidence, that their High Mightinesses will proceed in earnest, and in a manner suitable to the zeal and patriotic affection which they bear

to the State over which they preside, upon a plan the most important that was ever submitted to their consideration. The Empress, confiding in their penetration and great wisdom, is fully convinced, that they will seize this favourable moment of laying aside that acrimony and hatred, which, owing to the present troubles, have hitherto prevailed between the two maritime powers; and that for the more speedy completion of this important work, they will agree to a suspension of arms with his Britannic Majesty, which will unite the double advantage of removing the fetters with which the commerce of the Republic is at present shackled, and will give the necessary time for settling the preliminaries of a negotiation for peace. That for this purpose they will take into consideration, (as they have expressly declared it was their design to do, both in their resolution of the 4th of March, and in their Memorial delivered to us by your Lordship, their Ambassador, on the 17th of the same month) the fixing upon a place where the conferences were to open; that proceeding to the nomination of Plenipotentiaries to assist at those conferences, they will determine upon the conditions to which they will accede to obtain a peace with Great Britain; and, to conclude that they will proceed with all possible facility, which they promise to do as soon as the conditions which are now agreed to should be accepted. The Minister of the Empress of Russia, in communicating these sentiments of her Imperial Majesty to his Excellency the Ambassador, feels the utmost satisfaction in being so soon able to confirm the assurances which he has formerly made, of the sincere inclination in the Empress, to fulfil all that the Republic could expect from the friendship and affection which her Majesty entertains for them.

D'OSTERMANN.

*Leyden,*

*Leyden, June 6.* We have had occasion to mention before, the affair of the Danish ship, *St. Jean*, Captain *Herbst*, which was detained at *Larache* by the squadron of his Most Catholic Majesty, as suspected of an intention of entering the Bay of *Gibraltar*, with a cargo of warlike stores, said to be destined for *Algiers*. The *Chevalier Llano*, the Spanish Plenipotentiary at the *Hague*, delivered on the 27th ult. on the above subject, the following memorial to the States General.

“ High and Mighty Lords !

“ Some of his Most Catholic Majesty's ships of war, carried into *Cadiz* last February, the Danish frigate *Le St. Jean*, Captain *Herbst*, having, upon enquiry, found it to be a merchant ship, though there were on board, two officers belonging to the Royal Navy of Denmark ; that it did not belong to his Danish Majesty, though it had falsely assumed Danish colours ; that it was not sufficiently armed to pass for a ship of war, as it was at first pretended ; that it carried warlike stores, which are accounted contraband goods according to the sense of the treaties, and namely to those relating to the second article of the neutral convention : that it had rendered itself suspicious, by stopping in the seas near the blockaded place of *Gibraltar* ; on which circumstances the most serious resolutions might have been taken. Nevertheless, the King, through mere regard and friendship towards his Danish Majesty, proposed to the master of the said ship, to buy up its whole cargo, and give the master his liberty, or to sequester the warlike stores, till further information. The King's minister delivering this account to the Danish Court, further added : that if the buying up of the said cargo should not take place, his Most Catholic Majesty would ask all the other European powers, especially the Empress

of *Russia*, who was the first to propose, and agree to the armed neutrality, how in the present case, the second article was to be understood, as that alone, according to the circumstances, could determine the matter ? *Comte Reventlaw*, the Danish Envoy at *Madrid*, gave in answer, a notice, dated May 3, wherein after having observed, that the cargo on board the *St. Jean* belonging to his Danish Majesty ; and that the said ship is in his service ; he declares, that the said ship bearing the only discernable tokens of a ship of war, namely the military flag : his Danish Majesty makes no doubt, but that the Catholic King will instantly order its release, at its leaving *Cadiz*, as a ship of war.

“ His Most Catholic Majesty giving ear only to the generosity of his friendly sentiments towards his Danish Majesty, upon his declaration of its belonging to him, (though laden with contraband goods) and his Majesty promising that it was bound to no hostile power, would have cheerfully released it. But as pains are taken to establish, as a principle, that all such ships are to be reputed men of war, as bear the military insignia which the said court pretends is the only characteristic, though they were merchantmen not sufficiently armed for war, as is the case with the *St. Jean* ; the Catholic King thinks it neither expedient nor becoming, to give a positive and final answer on this event, without consulting with the powers interested in the armed neutrality, and other maritime powers, on this new laid principle, which by the abuse it is liable to from merchantmen, would render null and ineffectual, the precautions taken, in all treaties in regard to the ships of war, and the right of searching, and detaining all others.

“ In consequence whereof, I am commanded by my royal master to lay this before your H. M. adding, that

that his Most Catholic Majesty is very willing to adhere to this new plan of treating, as ships of war, all who bear the military flag, whether they be merchantmen or not, armed or not armed, sufficiently : provided the other maritime powers agree in acknowledging the expediency thereof : with this proviso, that the King, my master, would be at liberty to establish such regulations as his Majesty may think most conducive to secure the sea trade of all the other nations, to and from the ports in his dominions, in order to obviate all abuses and contestation.

(Signed) Le Chev. DE LLANO.

*Leide, June 13.* His Most Serene Highness the Prince Stadtholder went, on the 13th inst. to the Assembly of the States General, and made the following speech :

“ High and Mighty Lords,

“ The Republic having been attacked by the Crown of Great Britain, without any justifiable motives, and thus compelled to have recourse to every possible means, as well for its own defence, as for the protection of its trading subjects, in order to recover the colonies which have been wrested from us, and retaliate upon the enemy; I judged it most essential to consider of the best means of supplying the want of men, which our navy experiences, for the equipment of the ships lately built, that they ~~may~~ not remain useless in the ports, for want of a sufficient number of hands to fit them out for sea. We all know how distressed we are in this particular; and although I cannot pretend to ascertain, that what I have to propose will procure able seamen to our navy, it will, at least, in some measure answer our present exigencies. One might at first imagine, that, offering large premiums, and increasing the ordinary pay, would tend to answer the purpose; but experience has convinced us, that this

measure is of little avail, exclusive of the difficulties to which it is liable. The renewal of an ordinance, requiring every merchantman to give up one third of their hands, would prove of little service in the present situation of affairs. The press, as established in Great Britain, appears to me *so very repugnant to the natural rights of men who have acquired their freedom at the point of the sword*, that I shall never be able to bring myself to advise your H. M. to introduce in this Republic a custom unknown to this country; and which, *the rulers of a free people must hold in the utmost detestation*. Nothing, therefore, has occurred to me more expedient in the present exigency, than to recruit the navy from the body of the marines, chusing amongst them such as have already served some time on board the ships, and are used to the sea, whilst their vacancy might be filled up by the infantry of the state. I have in consequence, turned my thoughts to a plan to be laid before your H. M. the object of which is to supply the deficiencies of uncommissioned officers and privates on board the ships of the Republic, by a sufficient number taken in the manner before expressed, and that such a measure may be carried into execution without loss of time, and by the easiest means.”

Here follows the proposal alluded to, which is, to draft out of the 69 standing battalions, one Serjeant, one Corporal, and 28 privates; and out of the 34 regiments, one Drummer; these as much as possible should be volunteers entitled to the premiums, &c. hitherto offered; and who, if their conduct is approved of, will be at liberty to remain in the navy, re-assume their former service, or retire with a full discharge. In order that the vacancy occasioned by these drafts might be filled up, their H. M. shall cause to be paid 25 crowns to the Captains of companies, for every man thus

thus drafted, provided he procures such a complement before the 22d of October next ensuing; something similar is also proposed for supplying the fleet with able gunners picked out of the land forces, to the number of 15 bombardiers, and 120 gunners, by which the whole would amount to 2239, including the uncommissioned officers, and drummers.

The States General having taken the above under consideration: Resolved, that his Most Serene Highness shall be thanked for this fresh token of his zealous and constant solicitude for the good of the State, and that the proposal be laid before the Council of State, &c.

[This idea of making seamen of the marines is not new; it was recommended in the House of Lords, on the 13th of May, 1778, by the late Admiral Lord Bristol. His Lordship's plan is worthy of the adoption of the present Ministers. It may be seen in the *PARLIAMENTARY REGISTER of that year. Lords Debates, page 421.*]

We have been favoured with the following letter by a Gentleman, who received it by the Swallow from his Brother, who commands a battalion of Bengal Sepoys serving in the Carnatic.

*Camp near Polypett,  
29th Oct. 1781.*

DEAR BROTHER,

I hope you safely received my letter from Poondamalee. We marched from thence on the 18th of September, and agreeable to my intention, I had begun and made some progress in an account of the operations of the army on this expedition, but which was irretrievably lost, with a great part of my baggage, in a glorious retreat conducted by Colonel Owen, who, with a handful of men, gave a check to Hyder's whole force, and joined the army, with a trifling loss, on the 23d instant. I shall defer an account of this business till my narra-

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tive leads regularly to it; and I hope that the conclusion of this letter will record brilliant and decisive success.

From Tripasore we struck into the Pollams, which we were given to understand abounded with provisions, and have found a sufficiency for the maintenance of our army, at the same time that our situation has afforded us a little more elbow room than the Loochies allowed us on the Plains.

On the 23d of September, the army arrived at Pollore, a fort of little strength, which surrendered the same evening. Hyder, supposing that the General meant to throw provisions into Vellore, thought it worth while to hazard an action. We marched towards him on the evening of the 26th, and encamped about three or four miles from his advanced posts, after having driven away a considerable body of his troops who were sent to reconnoitre. The night was exceeding rainy, which put it out of the General's power to offer an alert, though that is a species of fighting which I understand he is not fond of, on account of the safety of the Carnatic being at stake on the success of this army, which can ill afford to risque any thing.

On the 27th, after breakfast, Sir Eyre marched with the second brigade, commanded by Major Edmondson; and before twelve o'clock possessed himself of two high rocks, between which was the main road, leading to an extensive plain, where Hyder had drawn up his army for our reception. Orders were then sent for the line to advance. The drums beat to arms; and our native troops sung Victoria on the march, as the feast of the Dhusera fell on that day.

The rocks possessed by our advanced party were considerably out of the range of the enemy's shot. On the supposition that we should march immediately to the attack, his army was drawn up on advanta-

H

geous

geous ground immediately opposite, possessing parts difficult of access, from the intervention of Tanks and other obstructions. The General had well considered his disposition, and settled the mode of attack, before the army joined him. He led the line along the foot of a high ridge of hills extending to our right, giving orders to Major Edmondson to turn the enemy's left flank, and attack it vigorously, whilst the line assaulted them in front. We accordingly proceeded on, without a moment's interruption, and on the march a friendly bay within the hills presented itself for the reception of our baggage. From the marching and countermarching of our enemy, it was easily to be perceived that Hyder was greatly at a loss to judge of our intentions, whether we meant to fight him or not that evening. To perplex him the more, our General ordered the camp colours to be planted; and as we were then within random-shot, this deception caused Hyder to unlimber his guns, and begin the cannonade, which they did, with some trifling success. Our line of march proceeded on till such time as Edmondson had extended beyond their left flank, and began to turn it. Our rear was secured by the mountains: two battalions of Sepoys posted with the baggage, served to protect it, at the same time that they covered our left flank, so far as their guns would range, during our advance, and which, beyond the range of six-pound shot, was defended by a large Tank, that effectually prevented a charge from cavalry, although it was not so extensive but to admit of our being annoyed by any batteries the enemy might bring on the opposite side of it during the engagement. Thus situated, orders were given for the whole line to front, the grenadiers march to be beaten as a signal of advance, and the guns to move without unlimbering. By this time the

enemy had brought heavy metal from their post in front of the rocks, and had gained our length with precision. We moved on briskly, and soon felt the good effects of the movement. The shot flew over us in showers, and Hyder was astonished at the rapidity of our motions. He feared for his guns, and saw no means of providing for their safety but by venturing a charge of his most approved cavalry. They were perceived preparing for an attack. Our guns were unlimbered, when we advanced with coolness; but the threatening storm gathered, and rendered it necessary to dress our line. The fire of our artillery had silenced the enemy's guns. They perceived that no time was to be lost in carrying them off; and to secure their safety, two columns of his stable horse, of about two thousand each, advanced with spirit, to make an impression; the one on the right, the other on the left wing. The latter bent their attack to a battalion on the left of our regiment, and, notwithstanding the fire of round shot from eight pieces of artillery, persisted in their attempt, the rapidity of their motion increasing as they came on: it was a glorious fight. I watched narrowly to observe the effect of the grape. The first round took them exactly in front; men and horses quickly bestrewed the plain; the column was thrown into confusion: the rear division wheeled to the right about, and went fairly off. Those that were nearer unfolded, and were obliged to run the gauntlet, in front of two battalions, before they could secure themselves from our fire, about 1000 excepted, who made for an interval occasioned by a gun having been left a few paces in the rear: they tilted at that, and succeeded; but were so anxious for their own personal safety, that only one man received a cut as they passed a Bascar belonging to the other guns. Their leaders were killed, and their standard

dard taken, and many of the men and horses fell of their wounds, after having gotten in our rear. This charge had nearly been fatal to Colonel Pearse and his suite, who passed through the interval I have mentioned. The Colonel's horse was unruly; he seemed to have a sense of honour, and threw up his heels at the pursuing foe: a sword was uplifted against the Colonel, when the man received a ball from a Havaladar, who has been since deservedly promoted. Lieutenant Humphries was also attacked, and having no weapon in his hand, boldly pressed his horse close to the assailant, thus taking away from the force of the blow, which drew blood, but caused only a trifling wound. This man also was killed by a musquet shot from one of the Sepoys. Two or three horses in the rear were carried off by the survivors, and the bullocks of a Tumbrill stabbed by them, as they could not stay to carry it off. Thus much for the charge on the left wing, of which I was a witness. Lieutenant M'Donald of Blane's regiment, gives the following account of what happened on our right.

The right wing not having unlimbered so soon as the left, had proceeded further, and the 13th regiment had outstretched the troops on their right, which they were induced to from a smart but ill-directed fire of musquetry from a walled post in their front, defended by a six-pounder, and a considerable body of the enemy's regular clothed troops. The 13th regiment were prevailed upon to advance through their fire without returning it, although a Carnatic battalion on their right had begun to engage. They marched close up to the post, delivered the contents of their musquets, and rushed on them with their bayonets, doing great execution. The enemy ran off in a confused croud, and as they gained ground, still left some unfortunate man behind, many falling of their

wounds. M'Donald, who is a sportsman, aptly likens it to a remarkable shot he made at a flock of wild ducks near Rajahmahl, one falling after another as they flew off. The regiment was eager to pursue, and solicited hard to follow the standard elephants of the enemy, which then presented themselves; but their attention was quickly engaged by the appearance of a body of cavalry preparing to charge them in flank. At that moment the utility of discipline shone with distinguished lustre. The common men themselves remarked that they must present a front. The regiment had got into some disorder from the nature of the attack and pursuit above described. Their officers directed their position, and told the files as they passed. The Madras officers admired the quickness with which the regiment formed to receive the enemy, and the coolness with which they waited till they advanced within 30 paces. Lieutenant M'Donald, who commanded Captain Powell's battalion (sick at Madras), ordered the flank division near him to reserve their fire, which they obeyed. The remainder of that battalion waited his orders, gave their fire, and put them to the route. M'Donald gave them his reserve as they fled, and his men continued the fire whilst they could do execution. As they went off they received the fire of the other battalion, and of two Carnatic battalions, paying dearly for their attempt. The 13th regiment gained the greater credit on this occasion, as they were not assisted by their artillery, which had been unable to keep pace with them in the attack of the enemy's post.

Soon after these several charges had been repulsed, Tipoo Saib had brought 12 guns on the opposite side of the Tank, before remarked, from whence he cannonaded the left of the line, but with trifling effect; Colonel Pearce thought it imprudent to advance lest he should get in the rear,

rear, and by some mistake or other it was reported to him that the gun ammunition was nearly expended, a circumstance I cannot account for, as very few shots had been fired during the engagement. This report was, however, attended to, and messaged to the Commander in Chief, together with the supposed critical situation of the left wing, cannonaded by Tipoo's division. The report of the expenditure of ammunition was groundless. To stay where we were and cannonade with Tipoo, was surely ill judged, at a time when our advance would have carried us far out of his reach, and when he was so posted that he could not have been up in time to annoy us in our attack on the front, had he been so inclined, and would have suffered severely in the attempt from our baggage guard. These measures and reports had a most unfavourable effect. The General was alarmed at what he heard, checked the progress of the right wing, and sent orders to Major Edmondson to join the line; but he was so far engaged that he took upon himself to act in some measure opposite to his orders, as he would have run some risk by an implicit obedience to them. At this time the enemy were retreating with all expedition, Tipoo's party excepted, which kept post at the Tank. Major Edmondson's division kept up a heavy cannonade on the retreating enemy, who were obliged to pass within the range of his shot, and must have suffered severely, as they went off in a confused multitude.

Had it not been for the idle reports and misrepresentations from the left wing, the success of that day would in all human probability have given the coup-de-grace to Hyder's force in the Carnatic, as I have heard from the most respectable authority, that the action on the right promised fully to answer the General's expectations; and I have heard him regret that he was obliged to forego the advantages

he had gained, in order to support the left wing, which repeated messages from Colonel Pearce represented to be hard pressed, and even in danger of being overpowered. The cannonade of Major Edmondson's division continued till some time after sun-setting, which concluded the business of the day. In general it was remarked that the fuzes were very indifferent, and took away greatly from the execution of our artillery. I saw three miss at the most critical moment, and am informed that similar accidents frequently occurred during the day.

Our loss on this occasion was very trifling, only one officer killed, and one wounded. The enemy suffered severely both in men and horses. The gun taken by the 13th regiment was an English six-pounder.

In consequence of this action, the Polygars deserted Hyder, and retired to their own country, which induced Sir Eyre Coote to march into the Pollams, as the Rajahs promised supplies of provisions: they did not, however, perform them, whilst the army remained for five days at the skirts of the hills, which caused our moving further into them, when more ample supplies were provided, but scarcely equal to our daily consumption.

The General perceiving, that, though there was no scarcity of grain, the collection of a sufficient quantity for so numerous an army, was attended with many difficulties, he detached Colonel Owen with six battalions of Sepoys, and eight three-pounders drawn by horses (the cavalry guns) to Veracundalore, commanding a pass, and well situated to subsist ourselves at least, if not add to the general stock. It was likewise a post of consequence, as the road to the Damalcherry pass, leading into Hyder's country, was not more than 12 miles distant, through which he received constant supplies. We arrived there on the 8th of October, and

and the villagers soon brought in provisions, though not in considerable quantities. We managed, however, to subsist the detachment, and were enabled to send a quantity of grain, sheep, and bullocks, to the grand army. Of the two latter we took some thousands from the enemy, marching at midnight, and surprising them before sun-rise. We also made another excursion two nights afterwards, intending to have given an alert to Tippoo's post, which did not succeed, owing to the badness of the road preventing our marching with the necessary quickness. This attempt was made on the 19th, and, together with the former, either irritated or alarmed Hyder so much, that he thought it worth while to move with his whole force to cut us off or drive us away. His army was encamped at the distance of seventeen miles, at a place called Lalapel, a few miles from Arcot.

On the morning of the 22d he ordered his army to parade, on pretence of mustering it, and marched off immediately, in the hope of surprising us in the night. In this he miscarried, as he did not arrive within sight of our out-posts till day-break the next morning, when the officer on duty perceived a body of cavalry, amounting, as he supposed, to 2000, which was a prospect that did not much alarm him, as it had happened before. As the day cleared, the enemy appeared in greater force, and, at length, in such numbers, as were evidently respectable to so small a detachment. The officers had signal flags, which he hoisted all together, as an intimation that every part of an army were advancing, whose approach they were intended to signify. Colonel Owen immediately went to the out-post, which was strongly situated, and from his own observation was convinced that Hyder himself, or much the greater part of his army, was at no considerable distance. He resolved, there-

fore to prepare for a retreat. The pickets were sent to reinforce the out-posts, and to escort them to camp. The tents were struck, and the baggage ordered to move into the pass. The first was completely effected; the latter were not so regular in their operations, not knowing or apprehending their danger, of which Colonel Owen did not chuse to apprise the line, lest it should flurry and alarm the men.

About nine o'clock our out-posts joined, and were attended by a few of the enemy's irregular cavalry. The safety of the baggage, at so critical a juncture, was a secondary object. The Colonel ordered a small regiment of cavalry, and three companies of sepoys, for its protection; but as no previous orders had been given to the people, they thought it the safest way to fly to the Jungles, through which we were to pass, and were there plundered, though few were killed or inhumanly treated.

Having completed the line of march, and given the necessary directions to the officers, he faced us to the right, and we marched along the foot of the hills leading to the pass. By this time considerable bodies of the enemy's horse appeared in our front, their numbers encreasing every moment, and in a few minutes their disposition became respectable, as they were evidently preparing for a charge, proposing by that means to engage our attention till Hyder's infantry and guns were brought into action. Our rear was defended by the hills, at the foot of which we marched. The Colonel perceiving they had formed in a manner worthy a cannonade, directed the artillery fire with coolness and deliberation, when a few shot from ten pieces of cannon disordered them so much, that nothing was to be apprehended from their undisciplined attempts. We then marched on till they became again respectable, repeated our fire of artillery; and thus alternately,



nately moving on and shewing a front, we gained the pass, where we halted for some time, doing much execution from our artillery, which was served with the utmost deliberation. Our infantry shewed an undaunted countenance, and were not in the least discomposed, although a storm of rockets flew about in every part of the line, and ten or twelve of the enemy's guns were by this time brought into action.

At length the enemy's main bodies of infantry and guns were perceived marching on in three several divisions, intending to surround us, and Mr. Lally very unexpectedly got a piece of artillery upon a high hill, directly on a line with our left flank, which threatened great execution.—The fire from the artillery of the enemy increased every minute, and a little time more would have afforded them an opportunity to bring the whole into action. The Colonel then determined to enter the pass, on the right of which he placed two six and two three-pounders, which fired briskly a few well-directed shots at the cavalry, who were now encouraged by the approach of their main army, and waiting the opportunity to begin the business of destruction. They were again disordered, and seemed checked beyond the power of accomplishing their design. The leading battalion entered the pass, followed by our regiment and the remaining battalions as they came up. The enemy's guns were well-directed at the pass, and a storm of shot flew over us, exceeding any thing the oldest soldier there ever experienced, but with little effect. The enemy fired from a gentle declivity, whilst we descended on the other side into the pass. Of course it was not possible to do much execution. Their shot spent their fruitless rage on the trees and stones beyond us, and their rockets absolutely served to defend our right flank, as they flew far beyond it, amongst their own people,

several of whom I saw knocked down by them. The leading battalion moved on, and we in front supposed that the retreat had been successfully accomplished, when our attention was taken up by an incessant fire of musquetry, that lasted nearly a quarter of an hour, some of their shots flying about us. I supposed it to be caused by matchlock men on the flanks, and did not hear the particulars till the enemy had been put to the rout. My accounts of the attack upon the rear are as follow :

It was brought up by a Carnatic battalion, commanded by Captain Walker, an officer who had seen much service, and of approved bravery. On this occasion, however, his manœuvre did not succeed, and is indeed disapproved of. On the flanks of the pass, the jungle is not so thick but easily to admit foot passengers. Walker perceiving the enemy advancing in great numbers, ordered his battalion to the right about, and rushed into the jungle, vainly expecting that the enemy would not dare to follow. He was, however, mistaken; for, encouraged by so precipitate a retreat, they pursued with spirit, and did not allow the battalion time to form, which indeed the ground itself rendered impracticable, with any precision. Thus having foregone the advantages of discipline, intrinsic bravery and additional numbers had their due efficacy. After an irregular skirmish Walker's seapoys sought their safety in flight; they ran to the road where the line was marching, rushed beyond a six pounder which covered the rear, bearing down the artillery-men and lascars attending the gun. The enemy followed in multitudes far beyond the six pounder, where Captain Walker was cut down attempting to rally his men. Capt. Morehouse, an officer of the artillery, in high esteem, perceiving that Walker's battalion was irretrievably broken, and fearing the panic might spread,

spread, ran up to Capt. Moore\*, and bravely proposed that they should return and recover the gun. The gallant Moore put his company to the right about, and pushed back through a host of foes, not returning a single shot. They soon came up to the gun, which had not been made any use of by the enemy, or in the least deranged. The grenadiers fired a volley in the very teeth of a numerous croud following it with their bayonets, crying out "Coote Bahadar." Astonished at the briskness of the attack, surprized at the appearance of the Europeans, whom it is highly probable they had not before noticed, and perhaps thinking that the whole army had arrived, they were quite confounded, and fled with so much precipitation as to tread each other down. Thus were they pursued by the grenadier company as far as propriety could warrant, when they collected and returned to the gun, which was then taken charge of by the artillery officer Lieut. Maud, who accompanied Capt. Moore, and received two slight wounds in the assault. It is confidently asserted, that this company of fifty men killed and wounded more than 300 of the enemy in a few minutes; and if it be considered that they fired more than 40 rounds per man, besides using the bayonet, all of which were bloody and bent, it is far from improbable: a happy coincidence of circumstances concurred to render this act meritorious. The enemy repulsed in the career of victory; a gun taken; time afforded the rear battalion to recover their order and spirits, at a most critical conjuncture, when the panic might have spread and proved fatal to the whole, all these threw a lustre on the gallantry of Moore and his company, which has deservedly met with the applause of the whole camp, and the public thanks of the Commander in Chief.

During this business the line halted, a part of the battalion next Walker's excepted, which was detached by Colonel Owen to support the grenadiers, by scouring the jungle on the flanks of the road, through which the grenadiers marched, by a continual fire of musquetry, which was well conducted, and of much service.

After having recovered the gun a few round and grape shot were fired. The enemy found no inclination to renew their attacks, but attended their steps at a respectable distance, firing now and then a random shot, which the flanking parties thought scarcely worthy their notice.

In about half an hour the rear of the line was restored to order, and we moved on, attended by some thousands of the enemy. As the country opened they collected in a considerable body, on the side of a large pond, but did not shew any spirits or intention of coming to action. Six or eight three-pound shot were fired with effect at the most numerous body, which dispersed them, and as we soon afterwards entered a valley between a range of hills, little more in breadth than the extent of our front, had it been necessary to form, he dropped them there, and three or four hours afterwards met Sir Eyre Coote with the army on their march to our support.

The grenadiers had one man killed and 15 wounded, two or three dangerously. Of the Sepoys, Captain Walker and Ensign M'Lane killed, and three or four Subalterns wounded. Of Sepoys 30 killed, 130 wounded, and about 40 missing. The enemy must at least have lost five for one, but some accounts swell his loss to 4000, which is impossible, as not more than 200 round and half a dozen grape shot were fired during the day. Hyder is much dissatisfied with his expedition, and reproaches his troops with having suffered 1500 men to have

\* Capt. Moore is a nephew of Sir William Draper.

have thus escaped so numerous an army. He marched back to Arcot with as much precipitancy as he left it, and there was not a vestige on the ground next morning when he returned with Sir Eyre to the scene of action, who, as the provision magazine was fixed at the former head quarters of the army, it became necessary to return, and on the 26th of October, he encamped at Polypot, where a considerable quantity of grain, 10 or 12 days, was collected, with which we marched the 1st of November, and arrived at Vellore the 3d, without having met any considerable body of the enemy, tho' we expected that Hyder would have tried the fate of another general action to prevent its relief, as the garrison began to be distressed for provision.

As Hyder has not struck a blow to prevent our throwing in supplies, it may reasonably be conjectured that he is on the decline, and if Sir Eyre Coote can manage to procure grain, the uncommonly fine weather of this season of the year will admit of our continuing the campaign a few days longer, and perhaps oblige him to quit the Carnatic altogether; as it is confidently reported that he has not much more than 12 days provision, and our situation between his army and the Mysore country, will render it difficult to supply his army from thence. Considering the obstacles the General has had to combat with, he has effected great matters within these six weeks past, and should the army in Tanjore be reinforced by the arrival of General Meadows, of which we daily expect to hear, the Company will once more regain its influence on this coast.

On the 5th of November, we left Vellore, and on the 7th encamped before Chittore, a fort of little strength but considerable importance, being the key to the Pollams, and in command of the road leading to the

Damalcherry pass. The morning of our arrival we possessed ourselves of the Petta or town, under the protection of the fort, without difficulty, which afforded good shelter for two battalions of Sepoys, within 150 yards of the works. In the evening two 12 pounders were played into the body of the fort, from a hill which thoroughly commanded it; and two batteries were erected, from which we threw shells from five howitzers during the night. As it was apprehended that these fires tho' severe, would not cause the enemy to give up the fort, it was determined to erect a battery for two eighteen-pounders, so soon as a proper spot could be ascertained. For this purpose our chief Engineer, Captain Theobald, went in disguise at night to reconnoitre, and unfortunately was killed at the very spot he had pitched upon for the battery. He was an intelligent and active officer, and much regretted by the army.

The enemy managed their fire so ill, that even day-light did not retard our operations. A battery was now erected, which in about 20 hours effected a practicable breach in a bastion ill defended by out-works, when the ditch was not more than knee deep.

The enemy perceiving the place untenable, offered to capitulate on honourable terms, which was at first refused, but at length granted, and the place given up on the 10th: this affair had nearly been fatal to Sir Eyre Coote, who exposes himself too freely on every occasion. While reconnoitering from the Pettah a shot from a Ginjal piece struck a wall near him, and he received a slight wound in the neck from a splinter, which drew blood and alarmed every one present, he has not, however, felt so much inconvenience from it as to prevent his attending his duty as usual. It is now to be expected that the Rajahs in this neighbourhood will

will enter freely into our measures, and that we shall no longer experience difficulties in supplying the army with provisions, to which alone Hyder is indebted for his safety. The monsoon, which now threatens to set in, will afford him a little respite, and the opportunity of retiring to his own country, a journey I think he will soon make; nor do I expect to see him again after this campaign.

On the 17th in the morning, the army marched from Chittore to Veracundalore; on the 18th to Polypett; and on the 19th to a village about 16 miles on the Tripasore road. This quick movement has been occasioned by a large detachment from Hyder's army under Tippoo having sat down before it. The firing of guns was heard very plainly from day-light in the morning till two o'clock, since which we have not heard a single shot. A battalion, that was left at Polypett with superfluous stores and baggage, was surprised on the 10th, which was chiefly plundered. Three guns were likewise taken. Lieut. Brickmore was also obliged to abandon Pollore, whose four iron eighteen-pounders were left, some of which he totally ruined, and damaged the rest. This was a masterly movement, to which may be attributed our precipitate march towards Madras.

On the 20th, the rains set in, but which did not cause a halt, as we marched that evening a few miles through a troublesome defile. On the 21st, the weather was so severe that we could not proceed. On the 22d, we marched, and crossed a river within two or three miles of Tripasore, where we halted the 23d; and on the 24th, encamped as far on the other side of the fort, on the Madras road, our signal for marching being a royal salute, for the capture  
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of Negapatnam, by Sir Hector Munro.

I went to view the fort, which had been unskillfully breached in the centre of one of the curtains. Before the breach was a large sheet of water, sufficiently deep to render the access difficult; and such precautions had been taken by the commandant, Capt. Bishop, as would have made the enemy pay severely for any attempt they might have made to storm it.

During the time they lay before it, several sallies were made with considerable success, which, together with the news of our approach, occasioned their precipitate retreat on the 20th instant.

On the 3d of December the army marched into cantonments; two brigades at the Mount, the others at Chouktry Plain, and places adjacent to Madras.

On the 28th, the army assembled on Marmalong Plain; and on the 2d of January, 1792, proceeded to Vellout, a village about three miles beyond Poonamallee, on the Tripasore road.

Coolie loads and carts of grain, for the declared purpose of throwing it into Vellore.

January 3d. The army marched soon after ten o'clock, and encamped beyond sun-setting, a little before Tripasore.

4th. A halt.

5th. A halt; owing to the General's being seized with an apoplectic fit.

6th. Marched to

crossed the river, about three miles from Tripasore; road tolerably good, some parts hilly and stony; distance 11 miles. No enemy, except a few Lutchess, who attempted nothing.

7th. Marched to Tritany. Pagoda; road indifferent: distance 13 miles;

13 miles : some of the enemy's horse appeared to the rear-guard ; but were dispersed by a few shot from the cavalry guns. Colonel Lang joined last night, in consequence of representations from camp of the General's indisposition. Arms and accoutrements ordered to be inspected.

8th. Marched to Sholingur Pagoda ; road indifferent : distance 13 miles. The advanced guard fell in with a considerable body of the enemy's horse on the ground of encampment, but which were chiefly dispersed. A few rockets were thrown at the line of march, but without effect.

9th. Marched to by an unexpected route through the hills to the right. Hyder's army was encamped on the other side of the Poonee river, but retired on the approach of the advanced guard, and neglected no opportunity of annoying us as we crossed, which was attended with considerable labour.

10th. Marched at day-break, and about nine o'clock descried, on our left flank, at some miles distance, the approach of the enemy by the dust of their line of march. They marched round to attack our rear, as the army passed a slough, which, it is said, was overflowed the night before, from large Tanks on the right and left sides of the main road, and which I think probable, having perceived one particular large breach in the bank of one of them well calculated for the purpose. The slough was in a hollow, and at a proper distance from the heights we had passed to be annoyed by a cannonade from thence. The greater part of the line and baggage had passed the slough before the enemy gained the heights. It was necessary to protect the passage of these grain-carts remaining, for which purpose, first the 26th regiment, and by degrees the whole of the 5th brigade, formed, and shewed a front

to the enemy, covering the slough, their left protected by the rear-guard and the hills, their right by difficult ground, and part of the troops that had already passed. In this position they waited the enemy's attack, who contented themselves with a cannonade from their heavy guns, twelve, eight, and twenty-four pounders. They fired from several batteries with much vivacity, and knocked down some people, with very little return from us, as we had only one twelve-pounder, and the sixes were not equal to the distance. The brigade continued at this post more than half an hour, under a severe fire, which afforded time for the carts to get pretty well over. The battalions were then ordered to file off, and form nearer the slough, which was done ; but it was unnecessary to remain there any time, as the whole of the carts and baggage had gained a place of safety. We then retired, and gained the heights on the opposite side the slough, which encouraged the enemy to advance their guns, and the fire was renewed with much vigour. From some cause or other the line was ordered to halt on a gentle ascent, whilst exposed to an enfilading, and double cross fire at the same time, by which the rear battalion suffered severely, and the whole line was annoyed by their shot. At length the battalions were ordered to advance, by which means they were soon without reach of the enemy's guns. Soon afterwards they were ordered back, and to form a line fronting the enemy, under the shelter of a bank, over which the enemy fired, without effect.

During this time the heavy guns of the front line were cannonading the enemy from an advantageous situation to our right, and probably with much effect, as they thought proper to decamp, though not till after they had attempted to get to our rear through

through the hills to our left, which would have led them to our baggage, when perceiving a body of troops drawn up to oppose them, they desisted, and gave up the business of the day: the line then moved on, and encamped about 7 o'clock within 4 miles of Vellore.

11th. Encamped at Vellore.

12th. A halt.

13th. Marched about 7 o'clock, and between 11 and 12 perceived the approach of the enemy on our right flank, whose evident intention was to cannonade us as we passed the swamp. The line proceeded, and by the time the Europeans had entered the swamp the enemy had advanced within shot from their heavy guns; they opened accordingly, and played with great vivacity during the whole time the rear of the line were passing, they were answered from our guns, but were at too great a distance to be much annoyed by them. By the time the rear had passed, the front had stretched out considerably to the left, and gained an opening by which to attack the enemy's right flank with tolerable celerity. Such was the General's intention, but the ground in front of the rear of our line was bad and retarded their progress very much, by which means the enemy had time to examine and discover our intentions, when they did not fail to retire with their usual precipitation; they were followed with all possible expedition by the whole army, advancing in line to the grenadier's march, but were so well provided with bullocks that we could not lay hold of a single gun, although they had the river Poonee to cross, which would have been no small obstacle to the advance of our army. The General gave up the pursuit when he arrived at the bank of it, from which such of the enemy as were within reach of our guns were cannonaded for some time, and (I believe) with tolerable effect. Our

loss was inconsiderable, though many shot were fired upon the line, nor do I conceive that much execution was done by us, as we never were within the distance of six point blank; it was, however, disgraceful to Hyder, and encouraging to our own troops, as well as some kind of recompence for the peeing we received on the 10th.

14th. Crossed the Poonee, and encamped at the mouth of the pass by which we marched. On examination it appears extraordinary that Hyder should have suffered us to cross towards Vellore without annoyance, as the ground appears most favourable for such a purpose, though it is not impossible but he might have risked a few guns, but which must have been purchased dearly.

15th. Marched off as usual, and encamped about four o'clock, on the ground we slept on before the battle of Sholinghur; road indifferent, and affording advantageous posts for an enemy to cannonade the line of march - distance thirteen miles.

16. During yesterday evening, intelligence arrived, that Hyder's army had marched after us, but by another rout. We had fortunately passed several places, from whence he might have cannonaded us with his heavy guns. At day-break the army marched from the encampment in two columns, from the right of each line; the first marching near the Sholinghur Hills; the second near the largest black rock, which led us to the plain where the battle of the 27th of Sept. was fought. A large party of horse, and three or four battalions of the enemy's had possession of the plain, and it was at one time supposed, that Hyder did not mean to advance so far; but before nine o'clock, his whole army appeared in march, between two small hills, and formed on some advantageous heights, three or four miles in our front, being the spot which

which he hoped we would have attacked on the 27th September. The General threw the baggage into its former station, and drew up the army in two lines, keeping at a sufficient distance to allow the opposite army to form for action, but they did not chuse to cross a nulla and swamp in their front, neither did Sir Eyre Coote chuse to cross it to attack them, as we could not have charged with any rapidity, so that he would have afforded them an opportunity of cannonading the army without gaining any other advantage than the empty honour of driving him from his post, at a considerable expence of blood and ammunition. A large body of horse was ordered to turn our left, which occasioned the second line to change front. The enemy then made a movement, indicating an attack upon our first line, but did not think proper to put it in practice. In this situation we remained, looking at each other, till near three o'clock, when the baggage was ordered to move on the flank of the first line, protected by several battalions on its flank, in which order we moved to an encampment not far from that we left in the morning. Hyder moved a few guns to the brink of the swamp, and fired several shot at the rear guard, but out of reach, although he had so heavy metal as thirty-two pounders. He hoped to have caught us desiling out of Sholinghur Pass, which would have afforded him an opportunity of plaguing us a good deal with his heavy guns, without risking aught himself.

17th. Marched soon after day-break, by the former road, and encamped on the banks of the river.—We, in front, did not see any of the enemy during the march—road indifferently good—distance about ten miles.

18th. Marched to Tripasore—road good—distance eight or nine miles

—no appearance of an enemy, but a report, that a considerable body of horse had crossed into the Pollams.

19th. In the cannonade of the 10th, Lieut. Greenville was killed—Lieut. Rutledge, and Lieut. F. W. Speediman, wounded—between seventy and eighty men killed and wounded—few of them Europeans.

In the action of the 13th, Capt. Lieut. Lucas and Lieut. R. Pearson, wounded—the former died of his wound, the leg was not cut off, and the wound mortified—the latter slightly, by a rocket—about fifty killed and wounded, eight or ten of them Europeans.

On the 16th, a few men of the 24th regiment suffered by rockets.

19th, Marched to Cockatore Plain—road good—distance three miles.

21st, Marched to Vellout—road good—distance six miles.

23d, General Munro arrived from the Southward army.

26th, The Swallow's packet will be closed this evening—I think the foregoing account of affairs may be acceptable to my dear Brother, it is therefore sent by his affectionate

R. S.

For the REMEMBRANCE.  
Letter from ROBERT MORRIS, Esq.  
to the American Governor CLINTON.

(Circular.)

Office of Finance, Oct. 15, 1781.  
SIR,

I am now to address you on a subject of very great importance, I am to detail some facts, which will demand the most serious attention from every legislature, and from every public officer in the United States. It is my determination to administer the affairs intrusted to my care, according to plans which are founded in sincerity and truth; convinced of the folly of the enemy, in supposing that any considerable body of men in the United States are opposed to the

the Revolution, I am persuaded, that in order to remove the greater part of our difficulties, the first proper step is, to state them fully to the people through their representatives. It shall therefore be a part of my study to prepare every transaction for the public eye, so that the meanest individual may be in due time informed of their affairs, in which, as a free citizen, he is interested. The various reports which have been circulated, the publications of the several Gazettes, and even letters from some who ought to have known better, all these things have conspired to infuse an opinion, that every power in Europe is favourable to us, that great sums of money are already advanced to us, and that still greater may be obtained. Whatever may be the fate of my administration, I will never be subjected to the reproach of falsehood or insincerity, I therefore take the earliest moment in which I am permitted to make those communications, which will give an insight into our real situation.

With respect to the situation and politics of Europe, it is not my business to detail them, neither am I in capacity to do it with certainty, but this is at least certain, that the disposition of the European powers, however friendly, has been too much relied on. As a proof, I need only observe, that not a single State has acknowledged our independence, except France, although our alliance with that respectable monarch has now subsisted near four years. Yet that monarchy is certainly the first in the world. It is in the closest connection with Spain. Spain has long been engaged in the war, and still longer solicited to form an union on the basis of the treaty with France. The armed neutrality which gave such splendid hopes to many, has not yet produced the benefit expected. I will not proceed on the ground of conjecture, nor is

it necessary for me to dwell longer on our political state with respect to foreign powers, but as there is little reason to expect, so I hope there is no American who would wish an alliance with any empire on earth, until they shall be so sensible of our importance, as to treat on principles of equality. The public opinion, as to the conduct of other Princes and States, has greatly injured us by relaxing our exertions. But the opinion, as to pecuniary aid, has been still more pernicious. People have flattered themselves with a visionary idea, that nothing more was necessary than for Congress to send a Minister abroad, and that immediately, he would get as much money as he chose to ask for. That when he opened a loan, hundreds would run to see who shall have the honour of subscribing to it, and the like; but surely a moment's reflection should have convinced every reasonable man, that without the clear prospect of repayment, people will not part with their property.

Have the efforts to borrow in this country been so successful as to ground any hopes from abroad? Or is it to be supposed, that foreigners would interest themselves more in our prosperity and safety, than our own citizens? or can it be believed, that credit should be given abroad before solid funds are provided at home? or could it be imagined, that the disorders necessarily incident to a great Revolution would be considered as a better source of trust and confidence, than the regularity and consistency of ancient establishments.

The Congress, conformable to the public wish, have appointed Ministers, requested grants, and opened loans. In Holland they have got nothing, and in Spain but very little. Loans were expected from individuals in Holland, but nothing of that sort has been, or probably

will



will be obtained. Loans were not expected in Spain, unless from the King, and from him they have been solicited with but very little success.

The distressed situation of public affairs forced the Congress to draw bills of exchange on their ministers. Some were drawn on France, some on Spain, and some on Holland. The first were honoured and paid, the second were accepted, but recourse was finally had to the Court of France for the payment of them also; they were drawn at long sight, the sales were slow, they were remitted from time to time, and every opportunity afforded the Minister of the United States to obtain the money for discharging them, but in vain. Of consequence these bills have been regularly referred to the Court of France for payment, and this has done us injury by anticipating the aid which France has been disposed to afford us, and at the same time has justly alarmed and greatly embarrassed the French Ministry.

These things appear necessary that you should know, and your legislature will undoubtedly draw the proper inferences. They will see how much has been suffered by delaying to call for the resources of our own country, and relying on the empty bubbles of hope, instead of the solid foundations of revenue. They will I trust clearly see that all our hopes and expectations are narrowed down to what France may give or lend, but here as in other cases delusion takes place of reality. We flatter ourselves with ideal prospects, and are only convinced of our folly by the fatal crisis of national distress. In order that you may clearly understand the succours afforded by France, I inclose an account, extracted from a state lately furnished to Congress by the Minister Plenipotentiary of his Most Christian Majesty.

You will observe that his Majesty granted to the United States a subsidy

for the current year of six million livres, and on a representation of our distress, he was pleased to become security for a loan to be opened on our account with Holland; and when it appeared, that there was little probability of obtaining any money there, in season, he further agreed that the sum to be borrowed, should be advanced for us, in the first instance, from the Royal Treasury. Thus the gift and the loan together, amount to sixteen million of livres, which would, if in this country, be equal only to two million, nine hundred and sixty-two thousand, nine hundred and sixty-two dollars, although at the rate of estimating dollars in France, it is there equal to three million, forty-seven thousand six hundred and nineteen dollars. But at the highest rate of exchange which has hitherto taken place, this sum, if drawn for, would have amounted to no more than two million, five hundred and sixty thousand dollars. I have been thus particular with respect to this sum, because the difference of currencies very often tends to deceive those to whom their real value is not a familiar subject of attention.

The inclosed account is in livres, and the two first articles contain the total of the grant and loan, amounting to sixteen million livres. The remainder contains the deductions to be made. The two first articles whereof amounting to two million, three hundred thousand livres, is for the payment of bills drawn on France, Spain and Holland, which I have already mentioned, the produce of the sale whereof has been applied to the public service, long before my appointment. The next article, being two million of livres, is appropriated to the payment of interest bills, wherefore no part of it can be applied to other purposes. The fourth article, I need say nothing of here, as it has long been in the mouths of every body.

dy. The fifth and sixth articles were for those stores which were laden on board four transports by order of Colonel Laurens, three of which have safely arrived, and the other put back in distress. The seventh article is in consequence of the loss of that valuable ship the *Marquis de la Fayette*, which contained a great number of public stores, the replacing of which is necessary for the army and its operations, and which will amount to that sum.

The last article contains the amount of monies deposited to answer my drafts, which have been made from time to time, and produce appropriated to the service of the current year.

On the whole there remains a balance of three million and sixteen thousand, four hundred and ninety-nine livres. This with the sum brought by Colonel Laurens, may be considered as of the value of about one million dollars, which is the utmost, for it would exceed that only by twenty-one thousand, five hundred and seventy-four dollars, if it were now in the country.

Thus then you see the extent of that pecuniary succour, which has filled the minds of all with such teeny expectation, it is narrowed down to one million of dollars; but by the best accounts and estimates I have been able to procure, this war has hitherto cost about twenty millions annually. I do indeed expect that the future expenditures will be greatly curtailed; but it must be remembered, that the most rigid economy has its bounds, and that it cannot exist without punctual performance of those engagements on which the first step towards it must depend. As soon as the proper estimates for the next year can be made out, the demands founded on them will be stated; and I shall shortly advertise for contracts, as the most effectual mode of husbanding our resources. I feel it my duty however to observe,

that a note this day sent to Congress of some of my principal engagements for money, amounts to upwards of two hundred thousand dollars, yet the calls for it from every quarter are incessant.

I would gladly quit the subject of supplies and expectations here, but it is necessary that the States should know all; and I should not answer the views of Congress, if I did not add that the Court of France place the aid now afforded us among the number of those extraordinary efforts which cannot be repeated. The declaration that no more pecuniary assistance can be afforded us, is as plain as language will admit of; and although applications may and probably will be made by our ministers to the Court of Versailles, yet surely no prudent man would form any reliance on such applications in the face of such a pointed and express assurance to the contrary; and especially when to every request a short answer can be made by asking what we have done for ourselves. Sir, I must speak to you most plainly; while we do nothing for ourselves, we cannot expect the assistance of others.

This is a very painful subject to dwell upon; but a consideration of very great magnitude remains behind, and sooner or later it must come forward. Prudence therefore bids us to examine now, and provide for it in season; the neglect in funding the public debt has introduced a practice of issuing Loan Office certificates for the interest due on other Loan Office certificates. This I have absolutely forbidden, nor will I ever consent to it.

Such an accumulation of debt, while it distresses the public, and destroys its credit, by no means relieves the unfortunate individual, who is a public creditor; for if revenue is not provided, increasing the certificates would only lessen their value. This

would

would be such a fraud as would stamp our national character with indelible marks of infamy, and render us the reproach and contempt of all mankind. It is high time to relieve ourselves from the ignominy we have already sustained, and to rescue and secure the national credit. This can only be done by solid revenue. Disdaining therefore those little timid artifices, which while they postpone the moment of difficulty, only increase the danger, and confirm the ruin.—I prefer the open declaration to all of what is to be expected, and whence it is to be drawn.—To the public creditor therefore, I say, that until the States provide revenues for liquidating the principal and interest of the public debt, they cannot be paid, And to the States I say, that they are bound by every principle which is held sacred among men, to make that provision.

I have gone through the task I proposed to myself in writing your Excellency this letter, which I pray you to communicate to the legislature of your state. I hope the Congress will soon be enabled to transmit their requisitions, and I shall endeavour that they be as moderate as possible. But I must pray that every man, whether in public or private life, will seriously consider the importance of complying with those requisitions. It is not by the brilliant successes of war, the splendor of conquest, or the shouts of victory, that a wise ministry are to be affected. The superiority of national resources is the sure ground on which to hope for success; and that superior resources steadily and

perseveringly applied, must eventually attain the objects. It is for these reasons that the enemy have hoped every thing from the derangement of our finances, and on the other hand, as I am well informed, it is from the establishment of a national bank, and the forming of contracts to supply our armies, that they have the greatest apprehensions. By the bounty of the Almighty we are placed in a situation where our future state depends on our present conduct. We may be happy or miserable, as we please. If we do our duty now, this war will soon be brought to a close: if not, it may last many years; and what will then be its termination, it is not in human wisdom to foresee. Thoroughly convinced that the enemy must ask peace whenever we are in a condition vigorously to prosecute the war, and that we shall be in that condition whenever our affairs are reduced to order, and our credit restored, and that for these purposes nothing more is necessary than a proper system of taxation, I cannot avoid expressing my sentiments on the subject in all the warmth with which they flow from my heart. I hope and pray that the facts I have stated may meet that calm attention which is due to their importance, and that such measures may be taken as shall redound to the honour and interest of our country. With all possible respect, I have the honour to be,

Sir, Your Excellency's

Most obedient and humble servant,

ROBERT MORRIS.

*His Excellency the Governor  
of New-York.*

Subsidy granted by the King to  
the United States, }  
Loan opened in Holland, to be ad- }  
vanced from the Royal Treasury, }  
To Dr. Franklin for answering }  
bills drawn by Congress, }

6000000

1000000

80000

16000000

To

To Col. Laurens to be sent to America by the way of Holland, but stopped by Dr. Franklin, to answer bills drawn by Congress and presented to him for payment,	1500000
To so much appropriated for payment of the bills to be drawn by the Congress during the year 1781.— Note, This is for the interest bills which are now negotiating,	1000000
To Col. Laurens which he brought out with him in specie,	2500000
To same by sundry articles of cloathing, arms, and ammunition furnished by the departments of war and marine, which he brought and sent out,	2289109
To amount of articles remaining to be supplied on his requisition	397000
To so much reserved for furnishing articles equivalent to those taken on board the ship Marquis la Fayette	5186109
To so much deposited at the request of the Chevalier de la Luzerne, to answer the drafts of the American Minister of finances. Note, This sum has been already applied for the current service of the campaign:	2297392
	1200000
	12983501
	3016499

By the United States in Congress assembled, Oct. 30, 1781.

Resolved, That the respective States be called upon to furnish the Treasury of the United States with their quotas of eight millions of dollars, for the war department and civil list for the ensuing year, to be paid quarterly, in equal proportions, the first payment to be made on the first day of April next.

Resolved, That a committee, consisting of a member from each State, be appointed to apportion to the several States the quota of the above sum.

November 2d. The committee, appointed to ascertain the proportions of the several States of the monies to be raised for the expences of the ensuing year, report the following resolutions:

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That the sum of eight millions of dollars, as required to be raised by the resolutions of the 30th of October last, be paid by the States in the following proportion :

New Hampshire	173,398
Massachusetts	1307,596
Rhode-Island	216,684
Connecticut	727,196
New-York	373,598
New-Jersey	485,679
Pennsylvania	1120,794
Delaware	112,085
Maryland	933,996
Virginia	1307,594
North-Carolina	622,677
South Carolina	373,598
Georgia	24,905

8,000,000 dollars,

K

lars, or one million eight hundred thousand pound sterling.

*New-York, May 9.*

This morning arrived his Majesty's ship *Savage*, Alexander Macky, Esq. Commander, in six days from Charlestown; by her we have the following advices:

*Charlestown, April 11.* Yesterday arrived a small schooner from Beaufort, North-Carolina, laden with corn, prize to the squadron of armed vessels which sailed from hence about three weeks ago, under the command of Captain Duncan M'Lean, of the privateer ship *Peacock*. By her we have received the following advices respecting the success of that expedition: that they came to anchor off Beaufort on the 4th instant, when the land forces under the command of Captain Isaac Stewart, after some opposition, very gallantly effected a landing, took possession of the fort and town, with all the vessels in the harbour, and a considerable value in merchandize and country produce. They have also taken the principal inhabitants of the town prisoners.—Further particulars are hourly expected.

The *Scourge* and *Adder* galleys, with the party under the command of Major Devaux, arrived on Friday last from Beaufort in this province. They sailed from Stono on the 28th Feb. and arrived at the town of Beaufort a few days after, which they took possession of and kept for three weeks. They found there a schooner which had some time before sailed from this port, laden with dry goods, &c. with a clearance for St. Augustine, but which the master, one Barry, villainously carried into Beaufort. Soon after their arrival, Major Devaux proceeded in the *Adder* in search of an American galley, said to be lying in Capers's Creek, but was disappointed in his object by the Americans having previously carried

it away. As he moved down he discovered at some distance in another creek, a large boat proper to be armed; upon this he went forward with 14 men in two rowing boats, and brought it off. As he was returning to the galley, he was attacked by a party of 50 Americans posted on the shore of the creek. A firing began, which lasted about a quarter of an hour, during which three of the enemy were wounded, but none of the royal party hurt.

Captain Smith, of the *Scourge*, having in the mean time armed the prize schooner, went in search of the American galley, which he was now informed had been sunk in Moss Island Creek. Captain Woollam was sent up to weigh her, which he effected. She proves to be the vessel in which the noted pirate Anthony committed such depredations on the coast of this province, in the course of last Summer. She is sixty feet in keel, carries an 18 pounder in her bow, and is reckoned one of the fastest going vessels of the kind ever known.

*April 23.* The sloop *Chance*, prize to Captain M'Lean, of the *Peacock* privateer of this port, arrived here yesterday afternoon with a valuable cargo. By her we learn, that she parted company with the *Peacock*, *Rose* and *Retaliation*, with their prizes, three days ago, in the latitude of Cape Fear, having been then two days out from Beaufort, North-Carolina: before they left that place all the vessels in the harbour and on the stocks, as also a quantity of merchandize, naval stores, arms and ammunition, were either taken or destroyed; the fort and guns were rendered useless, and two mills burnt. In accomplishing this service, which was conducted with great gallantry, only two were killed and five wounded, although the number of the enemy, when collected, before Captain M'Lean failed,

failed; appeared to be near 1000 men. Their loss was not known.

On their way to Beaufort three vessels were separated in a gale of wind, and to the northward of Cape Hatteras, the *Rose*, Captain Watts, of 10 three pounders, fell in with an American brig, mounting sixteen guns and full of men, which the *Rose* engaged for a considerable time, and notwithstanding Captain Watts's inferiority of force, he drove his antagonist on a lee shore, during a severe storm, being himself only in twelve feet water. The brig was immediately a wreck, and called to Captain Watts for assistance, which he was most anxious to grant, but his own safety prevented him from affording her relief, being then in very great danger himself, and a high sea running.

On Saturday last the American privateer brig *Grand Turk*, of 12 guns, and 75 men, belonging to Edenton, North-Carolina, was captured by the *Vulture* sloop of war, Captain Lehojne, and arrived here yesterday afternoon. The *Grand Turk* is a fine new vessel, had been out only eighteen days, most of which time she was cruising off this Bar, but had taken nothing. Yesterday morning the *Vulture* was left in chase of a brig and sloop, who, from their situation, it is imagined could not escape being taken.

The *Vulture*, when in company with the fleet which lately failed from this place for Britain, under convoy of the *Ostrich*, &c. took a brigantine from St. Kitt's bound to Baltimore, laden with rum and sugar, which soon after was struck with lightening, and thereby received so much damage, that she sunk before any thing could be saved but the people who were on board.

The *Vulture* parted from the fleet the 15th inst. then 130 leagues off the coast.

Last Saturday the *Narcissus* frigate

arrived here in ten days from New York. The fleet from hence had arrived there the day before she failed.

Early last Sunday morning, a detachment of our cavalry made an excursion towards Dorchester. On their return they fell in with a party of Lee's horse, near Eagle's-bridge, (who it is supposed had taken post there with a design to cut off their retreat) whom they immediately charged, and put to the route. On this occasion the enemy lost four or five men killed, nine taken prisoners, with 18 horses and all their accoutrements.

No other loss was sustained on our side, but a negro man belonging to Captain Campbell of the Royal South Carolinians, formerly the property of the American Governor Mathews, killed, and one soldier slightly wounded.

We hear, that some of our loyal militia from the back country, who for a long time past have been obliged to lurk in swamps, and other obscure recesses, for the preservation of their lives, have lately arrived safe within our lines.

*April 25.* Yesterday arrived here the privateer ship *Peacock*, Captain M'Leath, and the other vessels under his command, with their prizes, from North Carolina.

We are informed by one of the prisoners taken on board the sloop *Chance*, prize to Mr. Cruden's privateer, that he was at Martinique about five weeks since, when the French fleet of 40 sail, were cleaning and repairing the damages they had sustained in the actions with Sir Sam. Hood; that the British fleet, of 46 sail, including the reinforcement brought by Sir Geo. Rodney, and the arrival of single ships from America and other places, were at St. Lucia; that during his stay at Martinique, a number of transports with troops, had arrived there from Guadaloupe and

and Grenada, and that he saw them, with their baggage and artillery, landed; that 40 sail of merchantmen, transports and storeships, under convoy of six men of war, had arrived there from Old France, and brought accounts of the disaster the Brest fleet had met with in their encounter with Admiral Kempenfelt; that three of the men of war remained at Martinique with Count de Grasse, the other three, with part of the convoy, had proceeded for St. Domingo.

The following further particulars, respecting the expedition against Beaufort, in North Carolina, are received :

“ On the 4th instant the vessels went over Beaufort Bar; the schooner Retaliation having lost both her masts on the 21st ult. in a severe gale of wind; was towed in by the Peacock; this accident proved afterwards a very fortunate circumstance, for the enemy mistaking her for a prize, as she was towed in under rebel colours hoisted over the British, a number of the principal inhabitants and pilots came on board the Peacock in six or seven boats, and did not discover the deception till they had been on board some time. On the 5th, about two o'clock, P. M. Captain Stewart, with the people under his command, landed in the boats taken from the enemy, on an island near the main, the Americans firing very briskly upon them, but without effect. At half past three o'clock they crossed to the main, and advancing rapidly towards the fort, took possession of it with little resistance, though the enemy had mounted it with two 18 pounders and one six pounder, which fell into our hands; the 18 pounders were both loaded when Captain Stewart's people took them. The taking of the fort gave them full possession of the town of Beaufort; to secure which, and to prevent the enemy from interrupting them, whilst they were removing the stores

and merchandize found in the town, which was considerable, on board the ships, Captain Stewart ordered a breast-work to be thrown up, and mounted on it the six pounder taken in the fort, having destroyed the two 18 pounders, together with 350 muskets and fuses, and a great quantity of ammunition and gunlocks.

Whilst Captain Stewart and his people were giving the enemy this amusement on shore, Capt. M'Lean was employed in taking possession of the vessels and boats in the harbour, which was effected with no other loss than one of the seamen slightly wounded. The prizes consisted of a fine large ship, loaded with masts, spars, rice, tobacco, and naval stores, for the French West-Indies; a fine schooner and sloop; and a number of small craft and whale-boats. On the 9th, an exchange of prisoners was agreed upon between Capt. Stewart, &c. of the British, and Lieutenant-Colonel Enoch Ward, and Major Mountstuffer, on the part of the Americans. The enemy restored two of Captain Stewart's men that were taken at some distance from the work, plundering: and in return Captain M'Lean, and Capt. Stewart, paroled 26 prisoners taken by them. The 10th, at eleven o'clock at night, Captain Stewart evacuated the town, and embarked his men, and the stores that could be removed in time, on board the ships, without any loss.

“ On the 13th, a fine sloop from St. Croix, loaded with rum, salt, cordage, sail cloth, and other articles, came into Beaufort, and fell into hands they little expected.”

*New-York, May 10.* Yesterday arrived his Majesty's ship *Savage*, Capt. Macky, in five days from Charleston: by her we learn, that the 19th and 30th regiments of foot, under the command of Major-General O'Hara, had embarked on board transports, and were to sail for the island

island of Jamaica, under convoy of the Orpheus and some other frigates.

Last Sunday his Excellency Sir Guy Carleton, Knight of the Bath, Commander in Chief of his Majesty's forces, and Commissioner for making peace or war in North America, arrived in this city in good health: the Ceres man of war, Captain Hawkins, brought his Excellency and his suite in twenty-five days from Portsmouth; among other gentlemen are Morris Morgan, Esq. Secretary, Brook Watson, Esq. Commissary-General; Captain Moss, Chief Engineer; Captain Wroughton, Aid-de-camp.

His Excellency landed in the afternoon, under a discharge of the cannon at Fort George, and dined with the Honourable General Sir Henry Clinton, K. B. and Admiral Digby.

The town of St. John, in Antigua, was on the 10th ult. visited with a great calamity, by a dreadful fire, which destroyed a great part of that town.

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*Extract of a Letter from Charlestown, South-Carolina, dated the 8th of April.*

"Every thing here is quiet; Mr. Greene with the army he commands, still continue about twenty miles distant from us.

"A singular instance of perfidy happened here a few days ago; Mr. M'Queen, a native of this province, and Mr. Alexander Rose, from North Britain, both esteemed as good men and loyal subjects, particularly M'Queen, who was highly indulged by the commanders.—

When the American Assembly met to pass the law for confiscating estates of absentees, he was permitted to go out and make intercession, that his property within the bounds of their usurpation might be exempted: He succeeded. His wife was allowed to visit him in Charlestown, and re-

turn again to the country nearly as as often as she pleased.—This day se'nnight a boat was seized going out with eight hundred gallons of spirits, when Mr. M'Queen, conscious of his guilt, eloped to the country and would not return, although desired: he judged right, for more important discoveries have been since made, and several persons confined, among them is Mr. Rose; the cause is said to be, that a negro wench was found to have a letter, neither signed nor directed, but the hand-writing was well known; the Town Major took an authentic copy of it and returned it to the wench, desiring her to deliver it as she had been directed; he treated the affair to her as a matter of no consequence, but when she was gone ordered an officer to follow her, and secure the person to whom she should deliver it. She went to Mr. Rose's, who was abroad, and was ushered into his bed-chamber; the officer followed, and upon his appearance Mrs. Rose, who had the letter in her hand, threw it into the fire: this was considered as a suspicious circumstance; Rose was taken into custody, an enquiry has been made, and we hear he is to be turned out of the lines this morning.—The purport of the letter was, requesting the person to whom it was sent, to give all the intelligence he could, twice a day, if possible, informing him that his affairs were in a good way, and desiring him, as a meritorious action, to attempt burning the fort on Shult's Folly."

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*From the NEW-YORK ROYAL GAZETTE.*

[The underwritten, sent from the West-Indies, is published at the particular desire of Lieut. Colonel Cockburn.]

*St. Eustatius, Nov. 27, 1781.*

SIR,

I have the mortification to acquaint you of the surrender of this island yesterday.



yesterday morning to the Marquis de Bouillé; the following circumstances I have learned from himself, and the officers under him:

The armament, consisting of three frigates, one sloop of war, and four small vessels, having about fourteen hundred troops on board, were 12 days on their passage from Martinique, having sailed north about, to avoid being discovered by our islands; on Sunday evening the 20th, they made the windward of St. Bartholomew and St. Martin's, and about eight o'clock that night, pushed forward for this island, intending to make their descent in a place called Jenkin's Bay, which they found altogether impracticable from the rocks and shoals; about eleven at night, they drove a little to the left of this bay, under Rocky Steep Hill, where they pushed their boats forward to land, in which attempt four of them were dashed to pieces, and some lives lost; the men of those boats had no alternative but to attempt the hill, their retreat being cut off; the difficulties they had to encounter were great, mounting slowly up, holding by stones one after the other, while others applied ladders.

From eleven at night, till after six in the morning, they were employed in scrambling up the hill, and marching through the defile of the mountain, their numbers about four hundred.

According to my usual custom, I got up on Monday morning at gun-firing, mounted my horse, and rode to the South of the island; stopping to look around me, I saw two large vessels just clearing the north point of the island opposite Saba; apprehending those to be enemies, I instantly turned my horse about and galloped back, ordering the troops to get under arms as I passed. On my way I heard a few popping shots, which proved to be a body of the enemy under Comte Dillon, who

had fired upon a few recruits at the drill; I made towards the place where I heard the firing, not a man with me, and there found another body of the enemy, upon which I turned about to try to get some men together, but in vain, the enemy having taken possession of the fort, and many of the quarters of the soldiers, which were greatly dispersed.

A public enquiry into this affair, will, I hope, exculpate me from every shadow of neglect or inattention; there was not a place in any degree accessible throughout the whole island, that I did not fortify, in order to prevent a surprise; the officers of the garrison can testify my vigilance and alertness.

The Marquis de Bouillé himself has generously declared, that he knew every place was fortified, and that he had nothing for it but secrecy, and to make his attempt in a difficult place; had the two men posted on the Signal Hill, which overlooks the place the enemy landed at, done their duty, by giving the proper alarm, this misfortune could never have happened, but, villainous as they were, they quitted their post in the night, and were taken prisoners in the Valley, a considerable time after day-light; Corporal Henderson, and James Pickering, both of the Royal Artillery, who were the two men pitched upon as trusty for that important post; fifteen minutes warning would have enabled me to have given a proper account of the enemy.

You may think it strange, Sir, that during the whole night, not even a negro brought me intelligence, a strong proof of the treachery of the inhabitants! few of whom I have found honest, except the natural born subjects of the King.

The enemy were well piloted from Martinique, both by white persons and negroes, who had been inhabitants here.

Far

Far from reflecting in the least upon the royal navy, I must beg leave to observe, that since the fleet sailed hence the first of August, I was left not so much as a canoe, either for defence or convenience, though the situation of this island above all others demanded a vessel, and I was told I should have one; had one of those sloops of war now cruising of St. Thomas's for American vessels, been stationed here, the island would have been safe, as I only wanted a very short notice; but no doubt the officer commanding that department is the better judge, I only offer an opinion founded on facts.

In justice to the Marquis de Bouillé, I must declare that he acted with that generosity and politeness that has ever marked his character towards the English, I am much indebted to him for his particular kindness to me, as well as to all the officers in general, having allowed each of them to go where they pleased upon their parole, the men are sent to Martinique, to be transported from thence to France.

However conscious of my own innocence, I look upon this to be the heaviest misfortune of my life, my feelings as an officer are great, knowing well, that the world in general too often judges of the conduct of an officer, by caprice and common report, rather than by the merit of facts.

I have the honour to be, &c.

JAMES COCKBURN,  
Lieut. Col. 35th foot.

*Brigadier-General Christie, Commanding in Chief, &c. Barbadoes.*

#### COMPLAINT.

When I arrived here from St. Eustatius on the morning of the 17th of December last, I waited on Major General Christie, and delivered him my report of the particulars relating to the capture of that island: —

He told me that it was unlucky that I had not arrived sooner, for that the *Ranger* sloop of war, had sailed two days before for England, in which Ensign Rogerfon of the 13th regiment, who had arrived here a few days before, had taken a passage; upon being told this, I immediately suspected some foul play; however, I took my leave for that time, promising to return to dinner.

From that time till dinner I was informed by many respectable persons, that Mr. Christie had repeatedly closetted that Ensign Rogerfon (an officer ill spoken off by his own corps) and wrote out a list of queries, to which he extorted answers from him, altogether false, and tending to destroy my character: I was further told that Mr. Christie had even given money to the Ensign, to support him home. And though Rogerfon had so much honesty left as to say that I might be expected here hourly, yet so far from detaining him till my arrival, Mr. Christie hurried him away the quicker, giving him in charge to an officer of his family to see him in the boat, that I should have no opportunity of confronting him, and doing myself justice.

At dinner I took an opportunity of mentioning Ensign Rogerfon, remarking, that it was altogether unusual for any officer commanding in chief, to send home a report upon mere hearsay of any events that had happened at a distant quarter, before he received the report of the officer who commanded there; Mr. Christie then declared upon his honour that he had no concern whatever with Ensign Rogerfon, and that he never wrote home one syllable, directly or indirectly, relative to St. Eustatius, that he only sent home the usual returns, duplicates and private letters, all which he put in a bag, and delivered to the care of Ensign Rogerfon, merely as he happened to be a passenger; this decla-

ration he again repeated in the presence of Lieutenant-Colonel Stopford, Captain Garstin, Ensign Watson and others; notwithstanding all this, knowing the man, I had my doubts of his veracity, and the event has fully justified my suspicions.

For the last packet brought an extract of a letter to Lord George Germain, from Major General Christie, dated at Barbadoes, the 15th of December last; "that with grief he reports the taking of the island of St. Eustatius, &c. by an handful of the enemy, without the least opposition from the garrison."—This I conceive insinuates a want of courage in me, a crime, I thank God, no man dare accuse me of, my character having been too long established superior to that of Mr. Christie, who, I believe, never looked an enemy in the face; had the whole of that letter been published, Mr. Christie would have appeared in his proper colours; time I hope, will bring it forth.

Mr. Christie, I hope, will be found to have acted the part of a Spanish Inquisitor, by pre-judging me, and taking private inquiries, rather than that of an officer; every man is supposed innocent till he is legally found guilty: an officer of candour and judgment would have instituted a public enquiry, where all parties might have an opportunity of declaring themselves. How far Mr. Christie has fairly represented my conduct, let the world judge.

Another act of Mr. Christie's oppression I must also relate: the day I arrived here from St. Eustatius, I found that he had taken upon him to strip me of the employment of Quartermaster-general to this army, to which I had been appointed by higher authority than he ever was possessed of; but the apology he made to me for so doing, must mark the character of the man to the world: he said that he wished to gra-

tify his friend Lord Geo. Germain, by giving that employment to his nephew, Major Damer, and that he had laid hold of the first opportunity, which was that of the Ranger sloop, to signify the same to his Lordship: I am persuaded that from the known upright integrity of his Lordship, he must both reprobate the man and his principles, when the affair becomes known to him, and that the very officer who has succeeded, will likewise do so, and he is a gentleman of high worth and reputation.

Why Mr. Christie did not stretch his oppression further in stripping me of my Lieutenant Colonelcy, I know not; but think that he was equally justified in doing the one as the other.

In this appointment Mr. Christie broke also his faith with an officer \* of rank and reputation, to whom he promised, as far as in him lay, the post of Quartermaster-general, whenever it should become vacant; that officer, after charging him with a breach of promise, with just indignation, quitted the staff employment he was then serving in, and joined his regiment: I mention this circumstance only to convince the world of the principles of the man; I have many more of the same kind, but shall reserve them for other opportunities, unwilling to give your Excellency unnecessary trouble.

I shall humbly submit to you, Sir, and to the world in general, whether Major-General Christie has, upon the whole, acted consistently with the character of an officer, a gentleman, and an honest man; and I rest fully persuaded of meeting from your Excellency every redress in your power, for the wrongs and oppressions I have met with.

JAMES COCKBURN,  
Lieut. Col. 35th reg. foot.  
*Barbadoes, March 10, 1782.*  
*To his Excellency Major Gen. Mathew,*  
*Commander in Chief, &c. &c. &c.*

*From*

\* Lieutenant-Colonel Cuyler.

From the PHILADELPHIA JOURNAL, March 6, 1782.

The controversy which has so long subsisted between the states of New-Hampshire and New-York, on the one part, and the State of Vermont on the other, having engrossed the attention of many of the good people of the United States, the undersigned Delegates for and in behalf of the State of Vermont, request you to publish in your very impartial Journal, the following official transactions relative thereto:

Yours, &c.

JONAS FAY,  
IRA ALLEN  
ABEL CURTIS.

Philadelphia, Feb. 23d, 1782.

[ No. I. ]

To the Hon. Congress of the United States of North America.

The Remonstrance of Ira Allen and Stephen R. Bradley, Commissioners from the free and independent State of Vermont, appointed for the time being to attend on Congress.

With pleasure we embrace this first opportunity to testify their thanks for the personal honour done them by Congress, in giving them an attendance, though in a private capacity, with their honourable body; at the same time lament the necessity which obliges them to say they can no longer sit as idle spectators, without betraying the trust reposed in them, and doing violence to their feelings, to see partial modes pursued, plans adopted, *ex parte* evidence exhibited, which derives all its authority from the attestation of the party, passages of writings selected, giving very false representations of facts, to answer no other end but to prejudice your honourable body against the State of Vermont, thereby to intrigue and baffle a brave and meritorious people out of their rights and liberties. We can easily conceive

the Secretary's office of the State of New-York, may be converted into an inexhaustible source to furnish evidence to answer their purpose in the present dispute.

Needless would it be for us to inform Congress, that by the mode of trial now adopted, the State of Vermont can have no hearing without denying itself: and to close with those resolutions which we conceive our enemies have extorted from your honourable body, and on which the trial is now placed, would be in fact taking on ourselves that humility and self-abasement, as to lose our political life in order to find it.

We believe the wisdom of Congress sufficient to point out, that, pursuing the present mode is deviating from every principle of the law of nature or nations; for if the dispute is between the States claiming on the one part, and the State of Vermont on the other, whether the latter be a State *de jure*, or an independent jurisdiction *de facto*, they ought to be so considered in the course of the dispute, till the power interposing have determined whether the latter be an independent jurisdiction *de jure*, if not, they of course ought to annihilate the jurisdiction *de facto*, but to annihilate the State *de facto*, is summarily ending the dispute. To deny the latter any independent jurisdiction *de facto*, is to deny there are any longer parties in the dispute.

Again, we conceive the means connected with the end; and upon no principle whatever can we justify, that either party should establish the *modus*, or rules to be pursued in determining disputes, without confounding every idea of right and wrong; in the present case, on the one part might the end as justly have been established as the ways and means to effect the end. We are so far from being willing those brave and strenuous efforts made by the

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State of Vermont in the controversy with Great Britain, should be buried by our grasping adversaries (thirsting after denomination and prey) in the specious pretext of rioters tortiously assuming government, and we thereby lose all credit for the men and money we have expended.

Thus, while we are necessitated to remonstrate against the proceedings of Congress on the present mode, we are willing at the same time any equitable enquiry should be made: the State of Vermont being allowed equal privileges with the other States in the dispute. And that the State of Vermont might stand justified to your honourable body, and to the world, both as to her present and future conduct, we are induced as well from principles of attachment to the American cause, as a regard we have for peace and harmony among the States of America, now at war with Great Britain, to make the following proposals, viz.

1. That the State of Vermont will as soon as may be, forward to the Secretary of Congress, an attested return of all male persons liable to do duty, agreeable to a militia act heretofore exhibited to Congress in a code of laws, intitled, The laws of Vermont, and the State of Vermont shall, for and during the present war with Great Britain, from year to year, furnish an equal number of troops in the field, in proportion to their number, as Congress shall estimate the quota of the several United States, in proportion to their numbers; which troops shall be clothed, quartered and paid by the State of Vermont: and at the close of the war, the dispute shall be equitably settled by the mediation of sovereign powers; and nothing herein contained shall be construed to take away the right of any of the United States claim to have in or over the State of Vermont. Or,

2. We are willing to agree upon some one or more of the legislators of the disinterested States, to interpose, as mediators, and settle the dispute. Or,

3. We are willing Congress; being possessed of sovereignty, should interpose to prevent the effusion of human blood. At the same time we reprobate every idea of Congress sitting as a Court of Judicature, to determine the dispute by virtue of authority given them by the act or acts of the State or States that make but one part.

It gives us pungent grief, that such an important cause, at this juncture of affairs, on which our all depends, should be forced on by any gentlemen professing themselves to be friends to the cause of America, with such vehemence and spirit as appears on the part of the State of New-York: and shall only add, that if the matter is thus pursued, we stand ready to appeal to God and the world, who must be accountable for the awful consequences that may ensue.

Signed at Philadelphia this 22d day of September, in the year of our Lord, 1780.

IRA ALLEN

STEPHEN R. BRADLEY.

[ No. 2. ]

To the Hon. the Committee of Congress.

Whereas the State of Vermont hath formed jurisdictional unions with the people inhabiting a district of land known by the name of New-Hampshire Grants, east of Connecticut River, on an apprehension that the said district does not of right belong to New-Hampshire; also with a district 20 miles in breadth, lying west of the New-Hampshire Grants, on apprehension that it does not of right belong to the State of New-York. By means of which unions, it is impracticable for the people on the New-

New-Hampshire Grants, west of Connecticut River *only*, to perform any public act as a State, exclusive of the districts above-mentioned.— And that the claims of the people of the said districts to independence from the said States of New-Hampshire and New-York respectively, may have a full and fair hearing, and then a final decision may be had thereon as soon as may be. Therefore,

The subscribers, Delegates from and in behalf of the State of Vermont, beg leave to propose the following, as terms, which to them appear necessary, in order to a federal union between them and the United States.

1. That Vermont be recognized as an independent State, under the following description, viz. beginning at the north-west corner of the State of Massachusetts, which is the north-west corner of the town of Williamstown, and from thence extending easterly on the north line of Massachusetts to the west bank of Connecticut-river, thence up the river as it tends to the forty-fifth degree of north latitude, thence west in said latitude line in the center of the deepest channel of lake Champlain, west of Missisque-bay, thence southerly in the deepest channel of said lake, as also the channels of South and East-bay to the head of the latter, thence up to the deepest channel of Poultney-river to the west line of the towns of Poultney, Wells, Paulet, Rupert, Sangave, Arlington, Shaftsbury, Bennington, and Pownal, to the place of beginning.

2. That Delegates to represent the State of Vermont in Congress, be elected by the representatives of the freemen of said State as it is now extended, until the several claims of New-Hampshire and New-York to the said districts, be heard and determined.

3. That the several claims of

New-Hampshire and New-York be determined as soon as may be, and agreeable to the mode prescribed by the articles of confederation, for decision of disputes between two or more States, concerning boundary, jurisdiction, &c.

4. That Vermont have the same right as any other State (on application to Congress) to have an hearing on the said disputes, and be admitted in like manner by their agents (to be appointed for that purpose) as a party, in support of the claims of the people within the said districts to independence, from the said States of New-Hampshire and New-York respectively; and in case that, on trial, the districts aforesaid shall be found not to belong of right to the States of New-Hampshire or New-York respectively, they shall be thenceforth considered as belonging to the jurisdiction of the State of Vermont.

JONAS FAÏ  
IRA ALLEN  
BEZA WOODWARD.

*Philadelphia, Aug. 28, 1781.*

[ No. III. ]

By the United States in Congress assembled, Aug. 20, 1781.

On a reconsideration of the resolution respecting the people inhabiting the New-Hampshire Grants; it was altered and agreed to as follows:

It being the fixed purpose of Congress, to adhere to the guarantee to the States of New-Hampshire and New-York, contained in the resolutions of the 7th instant:

Resolved, That it be an indispensable preliminary to the recognition of the independence of the people inhabiting the territory called Vermont, and their admission into the federal union, that they explicitly relinquish all demands of lands, on the east side of the west bank of Connecticut-river, and on the west side of a line beginning at the north-west corner

corner of the State of Massachusetts, thence running twenty miles east of Hudson's-river, so far as the said river runs north easterly in its general course, then by the west bounds of the townships granted by the late government of New-Hampshire, to the river running from South-bay to lake Champlain, thence along the said river to lake Champlain, thence along the waters of lake Champlain to latitude 45 d. north, excepting a neck of land between Missisque-bay and the waters of lake Champlain.

Extract from the minutes,

GEO. BOND, Dep. Sec.

[ No. IV. ]

Proceedings of the Grand Committee of the Legislature of the State of Vermont, at Charlestown, October (from the 16th to the 19th) 1781.

State of Vermont.

*Charlestown, October 16th, 1781.*

The Governor and Council having joined the General Assembly in a committee of the whole, to take into consideration the report of the Hon. Jonas Fay, Ira Allen, and Bezaleel Woodward, Esqrs. who were appointed by the legislature of this State, in the month of June last, to repair to the American Congress, with powers to propose to, and receive from them, terms for an union of this, with the United States, &c. His Excellency Thomas Chittenden, Esq. in the Chair.

The said agents laid before the committee the following papers, which were read by the Secretary in their order, viz.

1, and 2. A copy of their letter to the President of Congress, of the 14th of August last, inclosing a duplicate of their commission.

3. The resolutions of Congress, of the 7th and 8th of August last.

4. Brigadier-general Bellows and associates petition to New-Hampshire, 25th May, 1781.

5. Petition of the select men of Swanzy to New-Hampshire, June 9, 1781.

6. Honourable Mesbeck Weare, Esqr's. letter, to be laid before Congress, dated 20th June, 1781.

7. Messrs. Duane and Ezra L'Houmedieu's memorial and prayer to Congress, of the 3d day of August, 1781; together with Ira Allen and Stephen R. Bradley, Esqrs. remonstrance to Congress, dated Sept. 22d, 1780.

8. Resolve of Congress, dated 17th August, 1781.

9. Written proposals to Committee of Congress, dated August 18, 1781.

10. Questions proposed to the Agents of Vermont, by the committee of Congress, Aug. 18, 1781.

11. The foregoing questions, with the answers annexed.

12. Resolutions of Congress of the 20th Aug. 1781.

The further consideration of the report being referred, adjourned till to-morrow morning, nine o'clock.

October 17.

Met according to adjournment.—The committee proceeded to the consideration of the resolution of Congress of the 20th day of August aforesaid, and other papers mentioned in the report of said agents, and after some time spent thereon,

Resolved, That in the opinion of this committee, the legislature cannot comply with the resolutions last referred to, without destroying the foundation of the present universal harmony and agreement that subsists in this State, and a violation of solemn compact, entered into by articles of union and confederation.

The further consideration of the report being postponed, adjourned to nine o'clock to-morrow morning.

October 18.

The committee having resumed the further consideration of the said report,

Resolved,

Resolved, That inasmuch as the resolutions of Congress, of the 7th and 20th of August last, did by no means comport with, but entirely preclude, any propositions made by our agents; it is therefore the opinion of this committee, that the propositions made by our agents to the committee of Congress, on the 18th of August last, ought not in future to be considered as binding on the part of Vermont.

Resolved, That it be and hereby is recommended to the legislature of this State, that their thanks be returned to their honourable agents, for their good services in behalf of this State, on the business of their late mission to the Congress of the United States of America.

And this committee recommend to the legislature of this State to remain firm in the principles on which the State of Vermont first assumed government, and to hold the articles of union, which connect each part of the State with the other, inviolate; and for the further information and satisfaction of the honourable the Congress, and the world, do recommend to the legislature to publish the following articles, which respect the admission of Vermont into the federal union, viz.

Art. 1. That the independence of the State of Vermont be held sacred, and that no member of the legislature shall give his vote, or otherwise use his endeavours to obtain any act or resolution of assembly, that shall endanger the existence, independence, and well being of said State, by referring its independency to the arbitrement of any power.

Art. 2. That whenever this State becomes united with the American States, and there shall then be any disputes between this and any of the United States, respecting boundary lines, the legislature of the State of Vermont will then (as they have ever proposed) submit to Congress, or such

other tribunal as may be mutually agreed on, for the settlement of any such disputes.

And that the impartial world may be fully convinced of the good and laudable disposition of Vermont, and of her readiness to comply with any reasonable proposal for the adjustment of the disputes respecting boundary lines, between this and the neighbouring States of New-Hampshire and New-York; this committee farther recommend to the legislature to make the following proposals to the said States of New-Hampshire and New-York respectively.

That whereas disputes have arisen between the States of New-Hampshire and Vermont, relative to the jurisdictional boundary lines, &c.

The legislature of Vermont, being willing and desirous as much as in them lies, to promote unity and good accord between the two States, do propose to the State of New-Hampshire, that all matters relating to the aforesaid dispute shall be submitted to five or more judicious unprejudiced persons, who shall be mutually agreed on, elected, and chosen by a committee of legislature, on the part of each State respectively; and that the States of New-Hampshire and Vermont do pledge their faith, each to the other, that the decision had by the persons so elected, being made up in writing, signed by the president of such commissioners, and delivered to the secretary of each State respectively, shall be held sacredly binding on each of the said States of New-Hampshire and Vermont for ever.

And that proposals of the same tenor be also made to the legislature of New-York,

And this committee do further recommend, that nine persons be elected commissioners by the legislature on the part of Vermont, to treat with commissioners to be elected on the part of New-Hampshire and New-York respectively, for the adjusting



justing the aforesaid jurisdictional boundary lines; and that they be commissioned by his Excellency the Governor, and that the faith of this State be by him pledged in behalf of the State, that the decision thus had shall in future be held as sacredly binding on the part of Vermont.

This committee further recommended to the legislature that the proceedings of this committee be officially transmitted to the Congress of the United States, and that they be inclosed in a letter, under the signature of his Excellency the Governor, and directed to the President of Congress.

And this committee do further advise the legislature to recommend to the authority in every part of the State, to remain firm in the support of government, and the punctual execution of the laws, notwithstanding the various measures taken to create divisions and discord.

The commissioners chosen for the above purpose: the Hon. Elisha Payne, Jonas Fay, Ira Allen, and Peter Olcott, Esqrs. Daniel Jones, Esq. Colonel Gideon Warren, Phineas Whiteside, Esq. Colonel Joseph Caldwell, and Ezra Stiles, Esq.

Resolved, That it be an instruction to the said commissioners, that they prepare and make the necessary defence in the premises, and that they introduce the said matters to New-Hampshire and New-York, in such way as to them shall appear best.

October 19.

Voted that this Committee be dissolved.

(Signed) BEZA. WOODWARD,  
Clerk of Committee.

State of Vermont.

In General Assembly, Charles-town,  
Oct. 19, 1781.

The aforesaid report being read, and the question being put, it was unanimously approved and accepted.

(Signed) ROSWELL HOPKINS, Clk.

In Council, 19th Oct. 1781.  
Read and concurred.

(Signed) JOSEPH FAY, Secy

October 30th, 1781.

The preceding is a true copy of an act of the legislature of the State of Vermont, lodged in the Secretary's office of the said State.

(Signed) MICAH TOWNSEND,  
Secretary.

November 14th, 1781.

The foregoing transcribed and carefully examined by the command of his Excellency the Governor.

THOMAS TOLMAN, P. Sec.

(No. V.)

Philadelphia,

SIR, 30th Jan. 1782.

On the 14th day of August last, we had the satisfaction to communicate to Congress a duplicate of our commission to attend on that honourable body, for the purposes therein named. We have now the honour to enclose a duplicate of our re-appointment: together with instructions to further negotiate the business of our appointment. Our colleague, who was expected in town before this time, has occasioned the delay on this account; whenever he arrives (who is hourly expected) we shall then be ready to lay before Congress such papers and matters as we are now, or may be furnished with on his arrival.

We have the honour to be, with great respect, your Excellency's most obedient humble servants,

JONAS FAY,  
IRA ALLEN.

His Excellency John Hanson, Esq.  
President of Congress.

(No. VI.)

Philadelphia,

Gentlemen, Feb. 1, 1782.

The committee of Congress, to whom your letter of the 30th ult. was referred, will meet at the Committee-room in the State-house, tomorrow

morrow at eleven o'clock, where you are desired to attend, if agreeable to you. Y our most obedient

Humble servant,

SAM. LIVEMORE, Chairman.

*Ira Allen and Jonas Fay, Esqrs.*

( No. VII. )

*Philadelphia,*

*5th Feb. 1782.*

SIR,

We have the honour to transmit herewith (for the perusal of the Hon. Committee) copies of the several papers following, viz.

Governor Chittenden's orders to Major-general Payne, dated the 14th Dec. 1781.

Major-general Payne's letter to the Hon. Melbeck Weare, Esq. 21st Dec. 1781.

Lieutenant-governor Payne's appointment and instructions to Gen. Enos and William Page, Esq. 21st Dec. 1781. And a letter from Gen. Enos and Ira Allen, Esq. to the Hon. Eliha Bartlet, Esq. Dec. 29, 1781.

Copy of a letter under the signature of Peter Gansevoort, Brig. Gen. dated 18th Dec. 1781; together with an answer thereto, under the signature of Col. Ebenezer Walbridge, dated 19th Dec. 1781, which, together with Vermont's proposals of October last, on the subject of settling boundary lines, contain the principal proceedings between New-Hampshire, New-York, and Vermont, since August last. And as our colleague (Mr. Curtis) is not yet arrived, we have nothing further to add at present, but that we propose to proceed on the business of our mission, whenever it may be agreeable to the Honourable Committee.

We are, Sir, your Honour's most obedient and very humble servants,

JONAS FAY,

IRA ALLEN.

Hon. Sam. Livemore, Esq. Chairman, &c. present.

(No. VIII.)

*Arlington,*

SIR, *the 14th Dec. 1781.*

I have received dispatches from William Page, Esq. Sheriff of Washington county, which gives me to understand, that there is a high probability that the government of New-Hampshire are about taking the coercive measures to compel the peaceable citizens of this State to submit to the laws and authority of New-Hampshire. The Sheriff further desires my special orders in matters relating to the premises; and as my remote situation renders it impracticable that I should have the knowledge of the particular occurrences which may take place, should such an attempt be made by New Hampshire; therefore I can only give you general orders in the matter, viz. Provided that New-Hampshire reject the proposals of the legislature of this State, and insist upon hostile measures, you are hereby directed to call on such of the members of the Council, and the Generals Fletcher and Olcott, and such of the field officers of the militia on the east side of the mountain, as you may think proper; and after having consulted matters, if need be, you are directed to call on any or all of the militia of this State, to the eastward of the range of green mountains, to your assistance, and to assist the Sheriff in carrying into execution the laws, and to defend its citizens against any insult. And provided New-Hampshire made an attack with an armed force, you are hereby ordered to repel force by force. In the mean time, you will use every means in your power, consistent with the peace, happiness, and dignity of this State, to prevent the effusion of human blood, which at this time might be more or less injurious to the common cause of America, as well as attended with many other serious

con-

considerations, and which I pray God may never take place.

I am, Sir,

Your obedient and humble servant,

THO. CRITTENDEN, Capt. Gen.

*Elisba Payne, Esq. Maj. Gen.*

N. B. Provided a force from New-Hampshire precipitate an invasion, you must act with that expedition which their manœuvres may require, with such council as you can in haste collect.

T. C.

( No. IX. )

*Charles-Town, Dec. 21, 1781.*

SIR,

I herewith transmit to your Honour a copy of orders received from the Commander in Chief of the State of Vermont, issued in consequence of the coercive measures pursued by New-Hampshire, from which you will learn my situation.—Inclination and duty conspire to induce my compliance with any measures that reason and justice may point out, to avert threatening hostilities, pregnant not only with the horrors of civil war, but also the greatest injury to the United States, whose interests it is our desire, as well as yours, to support; have therefore with the advice of sundry members of the Council of this State, and other gentlemen of influence and consideration now present, appointed Brigadier-general Enos and William Page, Esq. in conjunction with Colonel Ira Allen (already appointed by the Governor to wait on your Assembly) to state before the said Assembly the reasonableness of the late proposals of the legislature of Vermont, transmitted to your Honour by a committee appointed by said legislature for that purpose, for a settlement of the disputes between New-Hampshire and Vermont.

You must be sensible it has ever been our idea to have justice and equity take place in the decision, and therefore, by the advice aforesaid, renew proposals, that the con-

troversy in respect to the territory, the jurisdiction of which is in dispute between the said States, be decided by an impartial tribunal, on principles of right and equity, in the mode Congress have pointed out, by articles of confederation of the United States, in cases where disputes arise between two or more States, in respect to boundary, jurisdiction, &c. Vermont being allowed equal privileges as the other party, in support of their claim; and that hostilities between the said States be suspended till such trial can be had. We doubt not a compliance on the part of Vermont with the foregoing proposals, which appear to us equitable and just; and are persuaded that New-Hampshire are so possessed of principles of justice and equity as shall induce a compliance on their part, and hope for their favourable answer, to lay before the Assembly of Vermont for their concurrence at their meeting on the last Thursday in January next.

The treaties concluded between France and America, being already printed in this work, (from authentic copies) see pages 65 and 199; of the second volume, for the year 1778; it cannot be improper to insert the following paper, translated from the Flemish prints, in which it is called;

THE SUBSTANCE OF A TREATY  
LATELY CONCLUDED BETWEEN  
THEIR HIGH MIGHTINESSES  
THE STATES GENERAL, AND  
THE UNITED STATES OF AMERICA.

[This Treaty differs from the *eventual Treaty*, found among Mr. Laurens's papers, given in page 30, of the first volume for the year 1781, of this work; where the reader will also find the remainder of the most interesting of Mr. Laurens's papers.]

Art. I. There shall be a firm, indissoluble, and general peace between their H. M. the seven United Provinces

vinces of the Netherlands, and the United States of America, between the subjects, citizens, and inhabitants of both States, their respective countries, towns, &c. without any distinction or exception.

Art. 2. The citizens and subjects of the said States of the Netherlands shall pay, at any port, road, towns, &c. of America, no other duty or import, of whatever nature or denomination they may be, than such as the most favoured nations are usually subject to; and they shall be entitled to all rights, liberties, privileges, &c. in point of trade, navigation and commerce, whether going to any American ports, or sailing from thence to any part of the universe, as are already, or may hereafter be granted to the aforesaid nations.

Art. 3. *Makes the above reciprocal for the Traders of America.*

Art. 4. The subjects of each party shall enjoy a free and plenary liberty of conscience, as well as their family, in religious matters; being indulged to follow their respective modes of worship without hindrance or molestation. Moreover the subjects, &c. of the respective parties dying within the territories of the other, shall be buried in proper and decent grounds allotted for that purpose; nor shall the least insult be offered to the remains of the deceased.

Art. 5. Their H. M. the States of the United Provinces will endeavour as much as in them lies, to defend and protect all ships and properties belonging to any of the American States, or their respective subjects, whilst the said ships, &c. remain in the Dutch roads and harbours, or the seas adjoining thereto, and to recover and return to the owners, or their agents, all such ships, &c. captured within the jurisdiction of the said United Provinces: all men of war belonging to the latter, shall, upon all occasions, take under their protection, all trading vessels, the

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property of the people of the said States of America, steering the same course; and protect them in the way against all sudden and violent attacks, in the same manner as they are bound to defend and protect ships and vessels belonging to the subjects of their H. M.

Art. 6. (Stipulates the same condition to be observed by the United States of America.)

Art. 7. It shall be free and lawful to the merchants or other subjects of both parties, by will made, during, or previous to the illness of the testator, to bequeath wholly, or in part, to such person or persons they may think proper, the effects, goods, &c. which the said testator has, or ought to be possessed of, within the territories belonging to either of the contracting parties: Moreover, if any of the said subjects shall die after having made their wills, or what is termed *ab intestat*, their heirs at law, executors or administrators, settled within the dominions of either party, or coming from any other country, though not naturalised, shall receive such goods and effects without being molested, under pretence of any private privileges peculiar to any province, town, &c. but be freely admitted to their claims, according to the laws of the respective countries: in such manner however, that the right to the said goods and effects of persons dying *ab intestat*, shall be proved according to the forms in such cases provided by the laws of the country where the person may happen to die, notwithstanding all statutes, edicts, customs, &c. to the contrary.

Art. 8. Stipulates, that the subjects of either of the contracting parties residing within the dominions of the other, shall appoint such attorneys, agents, and counsel, as they may think fit, and that the latter shall be called to the bar by the ordinary judges, if desired to do so.

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Art. 9.

Art. 9. It is hereby enacted, that the goods, and effects; or other property belonging to either party, shall not be detained; much less seized upon by main force, unless it is for debt, or in consequence of a formal and lawful prosecution.

Art. 10. Concerns the traders, and masters of ships, who, in neither of the aforesaid States, shall be compelled to employ in the loading or unloading of their ships, or for agents and interpreters, such persons as are established for that purpose by public authority, remaining at full liberty to transact business for themselves, and to make use of any person or persons they may think fit to appoint, without being obliged to pay fees, under any denomination whatsoever, to those who usually act in the above capacities.

Art. 11 and 12. Settle the manner in which the ships of either party, sailing with prohibited stores for the ports of any power then at war with one of the contracting parties are to be treated. It is therein stipulated, that the masters of such ships suspected on good grounds of carrying on such illicit trade, shall be compelled to produce, either at sea, or in the harbours of their allies, their certificates and passports, shewing that they have no unlawful goods on board. — Any ship, which upon being searched at sea shall prove to be so laden, shall straightways be carried by the captor into some of the ports belonging to the offended party. Yet it shall not be lawful to break open the hatches, trunks, or any other locked up place, till the Admiralty Court shall have pronounced on the matter, and have issued out a sentence of confiscation, which shall in no case extend to the ship, or any part of its cargo, but such as consist of the said prohibited goods. If the captor at sea should find there is room sufficient to put on board his own ship, the whole of the prohibited

cargo, the prized vessel shall be suffered to continue its course, nor shall it be carried into port, but in such cases; where the said cargo could not be removed on board the captor.

Art. 13. Declares seizable any property belonging to the subjects of the respective States, if found on board any vessel, the owner or master of which, should be a subject of the power then at war with one of the contracting parties, unless it should appear, upon proof, that the owner or owners of such property had shipped it off before the declaration of war, or before they could be informed of there being such a declaration; in which case, all such properties and effects shall be restored *bona fide*, and without any demurr, to the real owners; provided nevertheless, if such effects are of the number of the prohibited ones; they shall not be by any means carried into any ports within the dominions of the enemy. The time specified, as sufficient for any owner or master of ships, to be informed of the declaration of war, is fixed at two months after the said declaration, whatever port or place they may happen to sail.

Art. 14. In order that sufficient provision may be made for the safety of the trading vessels and subjects of both parties in case of any molestation from the ships of war, and privateers of either, it shall be strictly enjoined to all captains and commanders of such ships not to annoy, or in any manner whatever give offence to the subjects of the other party, on pain of being made liable to make good all loss and damage to the aggrieved party.

Art. 15. Provides that all goods and merchandizes retaken from the enemies of either of the contracting parties, shall be carried to some port within the dominions of either, and safely lodged with commissioners appointed for that purpose, who are to deliver the whole and every part of the

the property to the real owners upon their proving themselves to be such in a full and satisfactory manner.

Art. 16 and 17. Relate to the amicable manner in which either party is to be treated by the subjects of the other in case of their being wrecked, or forced by distress of weather, or the fear of any enemy to put into any port, &c. from whence they shall be at full liberty to depart, when, and for whatever destination they may think proper.

Art. 18. Provides, that in case of a war breaking out between the parties, six months from the date of the declaration, shall be allowed to their trading subjects to dispose of, or withdraw their effects and property, and if any part thereof should have been seized upon before the expiration of the said term, full satisfaction shall be made to the party aggrieved.

Art. 19. Forbids all and every subject of both parties when either of them is at war with any foreign power, to accept from the latter any commission or letters of marque for the purpose of being employed against the party then at war as aforesaid.

Art. 20. Subjects the trading and other ships of the contracting powers to the usual forms and regulations, in case they should ride in the roads, or sail coastwise along the territories of their confederates without any express intention of making any of their ports, or in case they should enter any of the latter, but be unwilling to unlade their vessels either wholly or in part.

Art. 21. Declares both parties to be at liberty to appoint consuls and other agents to reside within the dominions of their confederates, if they should esteem such an establishment either convenient or necessary.

Art. 22. It is agreed between the contracting parties, that no clause or article whatever contained in the pre-

sent treaty, either for the present or for the time to come, shall be understood or looked upon as any ways derogatory to the two treaties, one of amity and commerce, the other of alliance, concluded at Paris, the 6th of February, 1778, between the United States of America, and the Most Christian King, but ought to be deemed in every respect compatible with and conformable to the said treaties.

Art. 23. The contracting powers leave the King of Spain at full liberty to accede to the treaties alluded to in the above article, with such alterations, as to his Catholic Majesty may seem good; provided nevertheless, that no clause or condition go against any of the articles contained in the present treaty between the contracting parties herein-mentioned.

Art. 24. Contains a promise on the part of their H. M. to exert their interest with the Barbary powers, that no molestation or annoyance may be offered by them, or their subjects, to the free trade of their confederate.

Art. 25. Specifies such stores, and effects, as come within the appellation of contraband or prohibited goods: namely, all manner of arms, and offensive weapons, linen and woollen cloths, gold and silver, coined or in bullion, combustibles, pitch, tar, yarn, masts, timber, sails, and other articles, provided they are not made in a form adapted to warfare, either by sea or land, are not to be looked upon as prohibited goods.

Art. 26. Enacts, that in order to prevent all dissention and misunderstanding between the parties, if either of them should chance to declare war against any other power, the subjects of the other contracting parties shall be provided with proper passports, specifying the ship's burthen, its cargo, the name of the master, &c. that it may thus appear, that there are no prohibited goods on board.

Art. 27. Provides, that although either the business of the Board of the ships of either party be at liberty to put into any port belonging to the other, without being compelled to unload or give in a declaration of their cargo; yet if there is any just cause of suspecting, that some prohibited merchandize is lodged on board, the master of such vessel shall be obliged to justify himself, by presenting his passport made out in a legal form, as provided by this treaty.

Art. 28. Stipulates, that any trading ship being met at sea by one or more men of war, of either of the contracting parties, the commander of such man of war shall keep with-  
out gun-shot, and only send his boat, not to search, but to request to see the passport of the master of the trading ship.

Art. 29. It shall be lawful for all traders, commanders of ships, either fitted out for war or trade, belonging to the United States, or any of the subjects thereof, freely to enter in their service, and receive on board, within all and every the ports belonging to the States General, such sailors or others as may be native citizens, or subjects of any of the Thirteen Provinces, and that upon such terms and conditions as shall be expressly agreed, without being subject to any penalty, action or trespass, or reprehension for so doing,

The above article (being the last) is made reciprocal in favour of their High Mightinesses.

*Copies of the correspondence between  
SAMUEL ESTWICK, Esq. Agent  
for the island of BARBADOS, and  
RICHARD CUMBERLAND, Esq.  
Secretary to the Board of Trade, on  
the subject of hearing the complaints  
of the island of BARBADOS against  
Governor CUNINGHAME before  
that Board.*

Mr. Estwick presents his compliments to Mr. Cumberland, and requests the favour of knowing whe-

whether the business of the Board of Trade continued, under its present circumstances, to be transacted; and whether their Lordships intend to host the complainants of the island of Barbadoes against Governor Cuninghame on the day fixed for that purpose.

Lower Berkeley Street, Port-  
man Square, April 4, 1782.

Mr. Cumberland presents his compliments to Mr. Edwick, and is not at present apprised of any reason which should prevent the hearing at the Board of Trade from taking place on the 13th instant.

Plantation Chambers;  
Thursday, April 4, 1782.

Mr. Cumberland presents his compliments to Mr. Estwick, and begs leave to inform him that the Board of Trade will meet on Friday next, at two o'clock, preparatory to their proceeding on Saturday to the hearing of the complaints against Governor Cuninghame.

*Plantation Chambers,  
April 9, 1782.*

Mr. Eltwick returns his compliments to Mr. Cumberland, and supposes, though without any direct authority for his so doing, that he shall have no further occasion to trouble the Board of Trade on the subject of Mr. Cuninghame's case; at the same time presuming that the Board will have other information of this than from him. But having said this, he must request the favour of Mr. Cumberland to represent to their Lordships, in Mr. Eltwick's behalf, his perfect satisfaction in the expectation he had of their Lordships' determination upon this business.

Lower Berkeley-street, Port-  
man-square, Apr. 9, 1782.

Mr. Cumberland presents his compliments to Mr. Eitwick, and not being at present informed from official authority of any thing which should prevent the Lords of Trade from hearing the charges against Governor

veneror Cuninghame on Saturday next, begs to know precisely from Mr. Estwick, whether he would wish to inform their Lordships (according to his message) "That he shall have no farther occasion to trouble them on the subject of Mr. Cuninghame's case?"

*Portland Place,*

*Wednesday morning.*

To RICHARD CUMBERLAND, Esq.  
*Secretary to the Board of Trade, &c.*

SIR,

I was in hopes that the intimation of my note to you on Tuesday last, respecting Mr. Cuninghame's case, had proved sufficiently satisfactory, and that no further information, from me at least, on that subject, would have been thought necessary. But finding to-day, from your note of yesterday to me, that something more is expected of me, though it be to repeat only what I had before said, I can have no hesitation, for the fuller satisfaction, as you desire, of the Lords of Trade, to say in answer to your note, that the notoriety, and self-confession in Mr. Cuninghame, of his own conduct, in the administration of the government of Barbados, wanting no hearing before the Board of Trade, or any where else, in order to form a decision for the removal of him from that government, and that this hearing, in a very circuitous way, would probably have no other tendency than to this end, I was perfectly ready to look up for the remedy of this gross, if not criminal neglect, in the late Secretary of State for America, to the justice and wisdom of the Minister who has now the honour to serve his Majesty in that department; and there to rest my determination of not troubling the Board any further on the subject of this case.

This was the ground of my first information to you, and the general line of my determination; but this was not all by which this resolution

of mine was governed. I will admit, for a moment, that the island of Barbados was in the wrong in its dispute with Mr. Cuninghame, and that Mr. Cuninghame's confession is not, as it plainly is, the evidence of his own mal-administration; I say, even in this case, when it was found to a degree of certainty that could not be questioned, that every inhabitant of the island, I must repeat every inhabitant of the island (for a dozen individuals, and those for the most part dependents on Mr. Cuninghame, out of upwards of 24,000 loyal subjects of the Crown, will not admit of exception) feeling themselves aggrieved (in reality or in imagination, no matter which) under the administration of Mr. Cuninghame, I will ask, Whether a Minister who had the interest of the nation and the peace and happiness of his Majesty's subjects at heart, ought not, at the same time that an opportunity was afforded to Mr. Cuninghame to justify himself before the Board of Trade here, so far to have yielded to the prejudices of the people (call them prejudices if you please, they being the prejudices of an united people) as to have recalled Mr. Cuninghame from his government over them? And here I must submit it as an observation, and not as a charge, whether in justice and in right, as well as in the course of former precedents and practice, the Board of Trade being in the entire possession and knowledge of this state of his Majesty's government of Barbados, still preserving an opportunity of justification to Mr. Cuninghame before that Board, ought not to have made a report to his Majesty, as from the Board itself, of that state of the island, for the purpose of some intermediate regulation? It being a state from the first administration of Mr. Cuninghame's government to the present moment, and will continue



issue during his stay there, to be so, of absolute anarchy and confusion. — But this I fear, was intended, by whom I know not, as for the state of Barbados, as it had been for the rest of his Majesty's colonial governments.

Another reason that moved me to my resolution was this: that the Board of Trade being, as it is said, in a situation of speedy annihilation, it could be of no advantage to the island of Barbados to be the subject of the last dying speech of that Board; and for this reason, that if any explanation of opinion or re-reference should become necessary, this explanation or re-reference from a body-corporate that was extinct could not be obtained.

Further too, the conduct of Mr. Cuninghame being the object of redress, as well as the subject of complaint, for the injuries received, I felt the Court of King's Bench upon his arrival here, and not the Board of Trade in the mean time, the place where my duty, as the Agent for the island, would, and will properly carry me.

And therefore, under these several considerations, I was led to suggest to you, in my former note, "That I should have no further occasion to trouble the Board of Trade on the subject of Mr. Cuninghame's case;" adding at the same time, "my perfect satisfaction in the expectation I had of their Lordships' determination upon this business;" and this because I was convinced that no tribunal upon earth, and more especially one of so much dignity and honour as that of the Board of Trade, could possibly form a judgment upon Mr. Cuninghame's case, without the most marked and nervous reprobation of his conduct.

And now besides I have only to add, that you have both my leave and desire to lay this letter before the Board; and with the acknowledge-

ment of my thanks for the personal civilities I have received from you, as well as from the Board, during our intercourse of business, I am, Sir, your most obedient, and very humble servant,

SAMUEL ESTWICK,  
*Lower Berkley Street, Portman-square,  
April 11, 1782.*

To SAMUEL ESTWICK, Esq. Agent  
for the Assembly at Barbados.

SIR,

I have laid your letter of yesterday before my Lords Commissioners for Trade and Plantations, and am directed to signify to you, that their Lordships having received his Majesty's commands to take into consideration the several charges and complaints preferred against Major General James Cuninghame, Governor of Barbados, by the Assembly of that Island, will, in obedience thereunto, meet to-morrow at the hour of eleven in the forenoon, at the Plantation Chambers, for that purpose, that being the day agreed upon by the respective parties, and of which you was reminded by my note of the 8th instant.

You will be pleased, therefore, to take notice, that my Lords will be ready at the time and place above appointed, to hear what you; as Agent for the complainants; may have to offer by your counsel, or otherwise, in support of the said charges.

I am, Sir, your most obedient humble servant,

RICHARD CUMBERLAND,  
*Whitehall, April 12, 1782.*

Mr. Estwick, in compliance with the notice of the above letter, attended the Board, and, having stated his objections to the hearing proposed, he was answered by the counsel on the other side, and then Mr. Estwick being heard in reply, the Board

Board doubted whether they should take upon themselves to make a report upon the whole of the case, as it stood before them, or only signify by their report, that Mr. Estwick, on his part as the Agent for the island, had declined the hearing.

To the first proposition, Mr. Estwick answered that he had not the smallest objection, for the Board being in full possession of the facts on both sides of the case, it was not only competent to the Board to do so, if their Lordships thought it necessary, but perfectly satisfactory to him; and for this reason, that if their Lordships reported upon the case from the authority of the records of the office, he very well knew what the report could not be; and therefore presuming that the Board would report from its records, he must necessarily know what the report would be.

To the other proposition Mr. Estwick said, that to that neither could he have any objection, but only hoped that if their Lordships reported specially, in the manner proposed, that in justification of him, as well as in justice to the island, the Board would annex to their report the reasons which he had assigned for his conduct, or otherwise he should feel himself under the necessity of following that report to his Majesty, with the statement of his own reasons; and here Mr. Estwick, and the Counsel withdrawing, the matter rested with the Board.

I do hereby certify that the following sheets, consisting of two hundred and sixteen sides (page 1 to 216 inclusive) contain a true copy of Governor Cuninghame's Answer to the charge brought against him by the Assembly of Barbados, and now of record in the office of the Lords Commissioners for Trade and Plantations, excepting such words as appear to be in the margins of

the said sheets, which make no part of the said answer, errors excepted.—[The marginal remarks are omitted in the printed copy following.]

RICHARD CUMBERLAND,  
Secretary.

Whitehall, April 19th, 1782.

(A COPY.)

BARBADOS.

*To the Right Honourable the Lords Commissioners for Trade and Plantations.*

*The Answer of Major-general JAMES CUNINGHAME to the charges contained in the Petition of the House of Assembly to his Majesty for his removal from the government of the said Island of BARBADOS.*

MY LORDS,

His Majesty having, in the month of February, 1780, been graciously pleased to appoint me to the government of this island, I arrived here in July following, as sincerely and warmly disposed to promote the interest, happiness, and prosperity of the inhabitants as any of my predecessors could possibly have been, and had even, before my departure from England, used my best endeavours to do them some very essential services.

On my arrival, I found that, although the greater part of the owners of plantations (who are not, at the most, above one sixtieth part of the inhabitants) had, in a long course of years, gradually become indebted to persons residing in England, to a large amount, and were much embarrassed in their circumstances; yet the island at large was in a much more flourishing condition than it had been for many years; and that from the vast sums received here daily for fresh provisions, and a variety of other articles furnished from hence for his Majesty's fleet and army, at the most exorbitant prices imaginable, there was actually more money

money in the island, especially among the trading part of the inhabitants, than ever had been at any former period since the settlement of it.

Under these circumstances, it would not, in my apprehension, have been very unreasonable for me to expect that the Assembly would rather have *enlarged* than *diminished* the usual salary of their Governor; and more especially, as they could not be ignorant that the hospitality which all his Majesty's naval and land officers would naturally expect to find at the Government-House, and the enormous prices to which the demands of his Majesty's forces, prisoners of war, &c. had for some time before advanced every article of provision, must unavoidably raise my expences to above double the amount of those of any former Governor of this island. However, I neither *expected* nor desired any larger salary than had been successively and constantly granted to every former Governor for forty years last past, and which was not even diminished on the appointment of the late Mr. Spry, who arrived here at a time when the island was actually in great distress, occasioned by two dreadful fires, which had then reduced the capital to ashes, as well as by various other calamities, as is mentioned in the annexed copy (No. 1.) of the act for granting a salary of 3000l. per annum to the late Mr. Hay.

To that salary granted to so many Governors, in infinitely less expensive times, the particular circumstances I have mentioned certainly gave me as good, at least, if not a *better claim* than any one of my predecessors had, at the time his salary was granted; and I could not, at first, conceive or believe that the Assembly, however factious, *disaffected*, and turbulent, some few of their members were known to be, would, at such a time, have seriously entertained an idea of retrenching the salary of the repre-

sentative of a Sovereign, from whose bounty, favour, and protection, the island had received, and was daily receiving, so many essential advantages. But they soon convinced me how little they were influenced, either *by respect to their Sovereign*, or any sentiments of gratitude for the benefits they derived from his government: for, because I would not agree to suffer the authority with which his Majesty had thought fit to invest me, to be made subservient to the private and selfish ends and views of one or two of their factious leaders, the majority of them readily concurred in the design of those contentious men, to render my government as *unprofitable* and *unealy* to me as possible. On the 25th July, at their first meeting after my arrival here, they not only passed a bill (of which the annexed paper, No. 2, is a copy) by which the Governor's salary was reduced from 3000l. to 2000l. currency per annum, but they also absolutely declined passing *the usual levy bill* for raising the taxes, out of which the greater part, even of the sum they had granted, was to arise. So that though they had in appearance, granted me 2000l. currency per annum, there was not, nor is there yet, any fund out of which that sum can be paid; for the annual amount of the duties on wines, &c. imported into the island does not exceed a 1000l. currency at the most, which, at this time, is scarce sufficient to defray the unavoidable expences of a Governor of this island *for three months*. And least these circumstances might not be sufficiently perplexing and disagreeable to me, they also accompanied their Bill of Settlement with the annexed resolve, No. 3; and on their being presented, it was *insidiously and arrogantly observed to me by the Speaker*, that "the grant was the free and "voluntary gift of the people." "That my English salary also arose  
"out

“ out of the produce of the lands of  
 “ this unfortunate community.”  
 And that, “ on every principle of  
 “ equity, they had good reason to  
 “ expect an exemption from the duty  
 “ out of which it was paid,” as your  
 Lordships may observe in his Speech  
 comprised in Mr. Estwick’s printed  
 Memorial. This resolve being evi-  
 dently calculated for the purpose of  
 forcing Government to relinquish the  
 duty of four and a half per cent. I  
 should, in my own apprehension at  
 least, have acted a mean and disho-  
 nourable part, if I had assented to a  
 bill with so indecent a proposition  
 annexed to it, before the same was  
 laid before the King; and therefore  
 I was, for a considerable time at  
 least, debarred by that circumstance  
 from receiving any salary at all un-  
 der the Assembly’s Bill of Settlement.

Thus having, by his Majesty’s  
 gracious favour, been placed in a  
 station attended with an unavoidable  
 expence of, at least, three or *four*  
 thousand pounds a year, upon the  
*presumption* that I should receive, at  
*least*, the whole of the usual settle-  
 ment made for the support of that  
 expence; and finding myself for-  
 didly and ungenerously disappointed;  
 by the representatives of the people,  
 of the income they had so long  
 granted to the King’s former repre-  
 sentatives, who were able to support  
 the dignity of their station at one  
 third part of the expence it now re-  
 quires, I thought myself fairly au-  
 thorised, upon every principle of  
 reason and justice, to enforce the  
 payment of all such fees and amon-  
 tments as I was informed did of  
 right belong to my several offices of  
 Captain-general, Governor, Chan-  
 cellor, Ordinary, and Vice-admiral  
 of this island, notwithstanding their  
 not having been attended to by any  
 of my predecessors since the admini-  
 stration of Mr. Worsley, whose enor-  
 mous salary of 6000*l.* sterling un-  
 doubtedly induced him to dispense

with the payment of them, which he  
 could well afford to do.

But though the mean and unwor-  
 thy conduct of the Assembly had  
 fully justified my demanding what-  
 ever my station entitled me to receive,  
 I did not determine upon the re-  
 establishment of fees until it was  
 suggested and recommended to me  
 by several of the most respectable  
 gentlemen in the island, who assured  
 me that, as the diminution of the  
 Governor’s salary was considered by  
 every truly loyal and well-disposed  
 inhabitant, as a shameful reproach  
 and disgrace to the community, I  
 should be thought wanting both in  
 sensibility and spirit, if I did not  
 use all equitable means in my power  
 to make myself amends for what the  
 Assembly had so *injuriously* withheld  
 from me. Prompted by these repre-  
 sentations, and by the unmerited in-  
 dignity I had received, I at last re-  
 solved to refer the matter to the  
 consideration of the members of  
 his Majesty’s Council, and accord-  
 ingly, on the 29th of Septem-  
 ber, 1780, I laid before them a  
 list of the fees proposed to be de-  
 manded for the Governor, which  
 met with their unanimous consent  
 and approbation, as will appear to  
 your Lordships from the annexed  
 copy (No. 4.) of the minutes of that  
 meeting, and the copy (No. 5.) of  
 the minutes of a subsequent meet-  
 ing, by which the former are ex-  
 plained and amended.

The fees being thus re-established,  
 and the Secretary ordered in Council  
 to receive them, they were at first paid  
 without the least reluctance, many of  
 the moderate and well-affected part of  
 the people publicly declaring them to  
 be in their opinion, a very proper,  
 equitable, and just equivalent for so  
 much of the Governor’s usual salary  
 as the Assembly had refused to grant  
 him. But it was not long before the  
 same turbulent, ambitious, and designing  
 Members of the Assembly, who had  
 already

already influenced the majority of that House to abridge his salary, and who, under the specious pretence of an "anxious concern for the interest of their country," have, upon all occasions, done all in their power to obstruct, stigmatize, and embarrass his Majesty's government, and to inflame the minds of their fellow-subjects, not only against their own Governor, but likewise against all other public Ministers and servants of the King, took upon them to menace the Secretary who received the fees, and used their utmost endeavours, by writing delusive and inflammatory speeches, and every other art and contrivance their imaginations could devise, to induce the rest of the Members, as well as their constituents, to believe that the *re-establishment* of fees for the Governor was the most arbitrary proceeding and most intolerable oppression ever heard of; and that there was a most dangerous conspiracy formed by the Governor and Council to rob and plunder the whole island: and as soon as they perceived that the extravagant, *false*, and malicious representations of the proceedings and intentions of the Governor and Council, which they and their dependents had circulated through all parts of the island, had operated so far as to secure them parties, both in and out of the Assembly, sufficiently numerous for their purpose, they made all possible haste, before the ferment they had raised should subside, to frame and intrude upon their Sovereign the fallacious and malevolent Petition that has been the cause of my giving your Lordships this trouble.

That Petition of the Assembly to his Majesty contains so many injurious, unjust, and groundless accusations against me; and so many false facts are, in the most confident and positive manner, asserted in it,

that I have found myself under the necessity of extracting and arranging them, in such a form as I apprehend will enable your Lordships to see both the Complaint and Defence in a more clear and distinct light than either would appear, if my answer was framed in the same confused manner as the Petition has been.

Upon an attentive examination of the Petition, two distinct kinds or classes of assertions seem to be comprehended in it, without either proofs or arguments to support any one of them. The first kind of assertions consists of direct charges against the Governor and Council; and the other consists of assertions, which are not direct charges against either, but seem intended for the purpose of giving force and weight to such assertions as do amount to direct charges.

1. The direct and positive charges against the Governor and Council are,
  1. That the taking of fees by the Governor is in direct opposition to an express law of the island confirmed by his Majesty's predecessors.
  2. That the same is contrary to the ancient statutes of Great-Britain.
  3. That it is contrary to the ancient Charter of Liberties.
  4. That it is an illegal exaction.
  5. That it is an unexampled usurpation.
  6. That it is new, extraordinary, and unprecedented.
  7. That it is contrary to immemorial usage.
  8. That the fees are oppressive.
  9. That the exacting of fees at such a time is the highest cruelty.
  10. That the rights and liberties of the inhabitants of the island are much affected and injured by the establishment of fees for the Governor.
  11. That the establishing of fees by the Governor and Council tends to take from the legislative body the right

right of raising taxes, and appropriating the public money; and to fix the same in the hands of the Governor and Council.

12. That it tends to give the Governor and Council a power of suspending the laws of the island and the constitutional rights of the people.

13. That it also tends to give the Governor and Council a power of suspending the laws and statutes of the kingdom of Great-Britain.

14. That it is subversive of the very principles of the British constitution.

2. The assertions which seem intended for the purpose of giving force and weight to the preceding charges.

1. That the said law of the island, intitled, " An act for the certain and constant appointment of all officers fees within this island " reserves the right of creating new fees for the public officers to the legislative body of the island.

2. That the laws and statutes of Great-Britain forbid the King's Ministers, of every rank and denomination, to take fee, gift, or brokerage, on the disposal of places and offices.

3. That no former Governor or Commander in Chief of the island, however arbitrary or rapacious, ever pretended to set up such claims and pretensions.

4. That the Assembly, on the present Governor's arrival, had settled 2000l. currency a year upon him during his residence in the island.

5. That the raising a revenue for the Governor is a mean and sordid purpose.

6. That the people are ill able to bear even the necessary taxes.

7. That Barbados is a loyal and oppressed colony, and the inhabitants of it aggrieved and distressed subjects.

The whole substance of the Assem-

bly's Petition being thus reduced into separate and distinct parts, it appears to contain fourteen charges and complaints against the Governor and Council; and seven assertions, tending to justify and support those complaints and charges: all of which I shall severally answer, according to the order in which they appear in the preceding arrangement; and do not in the least doubt of being able to convince your Lordships, not only by reason and arguments, but also by undeniable facts, that they are fallacious, groundless and delusive.

But before I proceed to answer any particular charge, I think it proper to assure your Lordships, that before I determined to demand any fees whatever, I endeavoured by all possible means in my power, to inform myself in the fullest manner of the former, and present state of the island, in order to form a right judgment of the equity and justice of the measure. For if, during the long series of years in which the representatives of the people of this island granted such ample and liberal salaries to their Governors, the people were really rich and flourishing, and had actually, since the settlement of 3000l. a year unanimously granted to Mr. Hay in 1773, been unfortunately reduced to that wretched state of distress and misery, described by the Assembly in their addresses to me, on my arrival here. Or if, on the other hand, the prices of the conveniencies and necessities of life, having formerly been very high and exorbitant, had of late become so low and moderate, that 2000l. a year would, in these times, answer the same purposes as 3000 or 4000l. a year would have done in former times; in both or either of these cases, I should have considered the annual salary of 2000l. granted me by the Assembly, a generous and liberal settlement; and whatever fees I might have been legally intitled to receive, I should under

these circumstances have thought it highly unreasonable to demand any.

But upon enquiry, I found, both from the records of the proceedings of the several successive legislatures of the island, for near an hundred and fifty years past, and from the information of the most intelligent and candid among the principal inhabitants, that the case was the very reverse. That many of the possessors of large sugar plantations in the island (who, as I have already observed, do not amount to one sixtieth part of the free inhabitants) have of late years, by their luxurious and expensive manner of living, encumbered their estates with large and numerous debts, is very certain. Yet, notwithstanding that circumstance, it is evident, beyond any possibility of contradiction, that (taking all the inhabitants of the island together) *the whole community at large never was before so rich and opulent, as at the time I was appointed to this government.*

There are so many circumstances which clearly prove the truth of this fact, that it would take up too much of your Lordships' time to hear an explanation of the whole; and therefore I shall only observe to your Lordships, that by the laws and other public records of this island, it appears, that for upwards of 40 years, after the first settlement of it, the common interest of money here, was 15 per cent. In 1668 it was by an act, still on record, reduced to 10 per cent. at which rate it continued 60 years. In 1728, by another act, also now on record, it was farther reduced to 8 per cent. and having continued so for 36 years, it was by an act passed in 1754 (which appears among the printed laws of this island) brought as low as 6 per cent. and for some years past it has been in contemplation, to reduce it to 5, and even to 4 per cent. which I presume cannot but be considered by

your Lordships, as a convincing proof, that the quantity of money in this island has always been increasing. That for 50 years past, it has increased much more rapidly than before, and that at the time of my arrival here, it was much more considerable than ever it had been. And it is even supposed by some, that the quantity of money in the island, has been more than doubled within the last thirty years. Nothing being more frequently observed here in common conversation, among the inhabitants themselves, than that for one person who could raise 100l. thirty years ago, there are now at least, three or four who can raise that sum.

And as the quantity of money in the island has always been increasing, and is well known to be now much more considerable than ever, so the several other articles which constitute the wealth of the inhabitants, have also increased in the same proportion; those articles principally consist of lands, buildings, furniture, slaves, cattle, and all kinds of live stock, goods and merchandizes.

But I shall only trouble your Lordships with a few observations on the lands, buildings, and slaves, which form the most considerable, as well as the most apparent part of the wealth of the inhabitants. And if it appears that the value of these was never greater, nor even *so great*, as when I arrived here, I presume your Lordships cannot but take it for granted, that the case was the same in respect to every other article of wealth.

With regard to the land of the island, it must be allowed, that the quantity of it neither has nor could have been increased, but the cultivation of it has of late years increased so much, that without any importation of corn, either from America or any other country, the island now amply supplies all its inhabitants, amounting

mounting to upwards of one hundred thousand, with that essential article; the greater part of which, even when the inhabitants did not amount to two third parts of their present number used to be purchased from the colonies of North America; nor does it appear that any more land was then appropriated to the cultivation of sugar canes than there is at present. And therefore as the land, which formerly did not produce a sufficient supply of corn for the consumption of thirty thousand of the inhabitants is so much improved, as to produce (besides sugar canes, cotton and ginger) not only a sufficiency of that article for the consumption of an hundred, or an hundred and twenty thousand, but also a large surplus for the rearing and fattening of an incredible number of sheep and feathered stock, which are daily exported from hence, and sold at an immense profit at St. Lucie and the Leeward Islands; it is as evident as any fact can possibly be, that *notwithstanding* the present *low price* of land here, it is intrinsically *much more valuable* at this time, than it has been at any former period; for the breaking up of many principal plantations for the payment of debts which had long been accumulating upon them. The emigrations from hence to our late new islands, and to the Dutch settlements in South America, where any quantity of land could be had almost gratis, and the large and quick returns made by trade and commerce, to which a very great number of the inhabitants have of late years turned their attention, have been the chief causes of the present low price of lands in this island, and of the want of purchasers for them.

No people live more happily or plentifully than such of the planters here as are content to live within their income, (which the lower classes of them generally do) nor do those ever complain of any distress or hardship,

whence it seems most evident, that the whole of the land of which this island is composed, is in general far more valuable at this time than ever it has been since the first settling of it.

As to the buildings, every person I have conversed with on that subject has assured me, that each of the towns in this island contained, when the late hurricane happened, at least double the number of houses which they contained thirty or forty years ago; and that almost every house and building erected within the last fifteen or twenty years is equal in value to three or four of those which were built in former years; and I am credibly informed, that it appears by the books of the vestries of the several parishes wherein the towns lie, that the annual rents of the houses, stores, and other buildings, amounted, a short time before the late hurricane, to above three times as much as they did forty years before, which vast increase and improvement of buildings, has not only made an exceeding great addition to the wealth of the present inhabitants, but is at the same time an indisputable proof of their being in all other respects much more opulent than their ancestors had ever been.

With respect to the slaves which form the most important article of wealth, the inhabitants of this country now possess, I can assure your Lordships, that from their first importation into the island, they have increased and multiplied so exceedingly, that they are now thought to be equal in value to all the land in the island.

It appears that in the year 1674, when a levy or poll tax was first laid upon them, there were not above six thousand in the country, but being found so much more useful and valuable than the white servants imported from Europe, their number from 1674 to 1722, gradually increased



creased to about four and twenty thousand; and now it appears that, for several years past, *upwards of seventy thousand have been annually given in upon oaths, at the Treasurer's Office, in order to their being taxed.* And it is generally believed, that there are above ten thousand more throughout the island than are ever entered at the Treasurer's Office. *So that at present the number of slaves possessed by the inhabitants of this island cannot be less than eighty thousand,* which, together with the several other articles of wealth I have already mentioned, form a property of an immense value, and such as perhaps is not to be found in any other island so small as this on the face of the earth; for, though the whole island does not contain above one hundred thousand acres, yet the lands, with all the buildings and slaves upon them, are worth upwards of three millions sterling, at the lowest value that can be reasonably set upon them; and when all the live and dead stock, and all the gold and silver coin, jewels, plate, carriages, furniture, and other valuable articles in the towns and country, are taken into the account, *it is certain that the whole of the wealth of the people of this island amounted, at the time I arrived here, to at least six millions sterling;* which is an immense wealth for so very small an island, especially when it is considered that the free inhabitants, by whom the whole is possessed, are not above twenty thousand. But that it does actually amount to, and even exceed, that vast sum, clearly appears from the amount of the public taxes raised annually for several years past, upon buildings, lands, slaves, and some other articles in the island, and the proportion those taxes bear to the intrinsic value of the several articles of property upon which they are laid. And if, according to the returns I have received from the vestries of the several parishes (of

which the annexed paper, No. 6, is an abstract) the losses sustained from the late hurricane amount to 1,018,928l. 14s. 10d.  $\frac{1}{2}$  sterling, and as the inhabitants at large, as some of the most intelligent persons here have computed, have not actually lost more than one seventh part of their property, it is evident that the value of the *whole* of that property could have been no less than 7,132,501l. 4s. 10d.  $\frac{1}{2}$  sterling, and of course the value of the six remaining parts of it still amounts to no less than 6,113,572l. 9s. 3d. sterling.

Nor is it in the least surprising that the wealth of this island should have increased so much of late years, since the current price of sugar, which was formerly established at ten shillings a hundred (as appears by several acts and other evidence still on record) is now advanced to forty shillings; and the prices of rum, and all other productions of the island, have risen in the same, and some in a much *higher* proportion, especially in the course of the last three years. The supplies purchased here for the King's fleets and armies in these parts, having within that short period increased the riches of this place so much, that it is scarce possible to conceive how, at a time when the inhabitants were reaping such extraordinary advantages and emoluments from the King's government, it could enter into the minds of their representatives to diminish the income of his Majesty's representative among them.

With respect to all such provisions as the Governor of this island must buy and pay for daily, it appears, from several matters now on record here, that about the year 1692 they were sold for one fifth part of their present prices; and that about the year 1722, the same articles sold for one fourth part of their present prices: and the prices at which butchers meat was settled and directed

ed to be sold by an act of the island passed so late as the year 1737, did not exceed one third part of the prices it now sells for; whence it is evident, that no longer than forty-four years ago, one thousand pounds would have gone as far towards supporting the dignity of this government as three thousand will at this time, as your Lordships may observe by the annexed table, No. 7.

And as I have shewn how very low the prices of provisions formerly were in this island, in comparison to these of the present times, it may not be improper to observe to your Lordships, that for near fifty years last past, the Governor's salary, far from keeping pace, either with the vast increase of the wealth of the people, or the advanced prices of provisions, has not received the least addition, which it was reasonable to expect would have induced the last year's Assembly to have *enlarged* rather than *diminished*, an establishment already become so much in their own favour.

For a century after the establishment of this colony, it appears that as wealth and population increased, and living became more expensive, the Assemblies gradually enlarged the income of their Governors in the same proportion. And so early as the year 1692, when, as before observed, the inhabitants had not a fourth part of the value of the wealth now possessed by their descendants, an Assembly granted 2000l. currency a year to Colonel James Kendal, then Governor of the island, besides the rent of a house, as appears by their acts now on record here.

In 1694, the like salary of 2000l. a year was granted to his successor Colonel Francis Russell, with an addition of 300l. more for replenishing his cellars.

In 1698, upon the appointment of Mr. Grey (afterwards Lord Grey) to this government, the Assembly

granted him a salary of 2000l. *a year*, and 500l. a year more for house-rent; and in 1700, his salary was advanced to 2000l. sterling a year, *as appears* from three acts now on record, by which those sums were granted: so that the whole annual amount of the income received by Lord Grey from the island was no less than 3100l. currency, exclusive of his English salary.

In 1722, the Assembly carried their generosity to an immoderate excess; for, though the buildings, slaves, and other articles of wealth then in the island was not equal to one third part of the value of the present possessions of the inhabitants, and provisions did not cost one fourth part of the present prices, they granted to Mr. Worley the enormous salary of 7800l. currency, and for no other apparent reasons than are assigned in the act (No. 8.) which I have annexed for your Lordships inspection; and though the inhabitants, *some* years after, endeavoured to evade the payment of part of that salary, yet they not only paid the whole of it, but,

In 1733, the Assembly, though they did not carry their generosity to extravagance, as the Assembly of 1722 had done, made a much more liberal settlement on Lord Howe, the successor of Mr. Worley, than could have been reasonably expected from them; for, apprehending the salary of 3000l. currency, granted to him immediately after his arrival, to be inadequate to the expences of his station, they, about six months after, advanced that salary, by another act, to 3000l. sterling, which being also settled at an exchange of  $133\frac{1}{3}$  per cent. amounted to the sum of 4000l. currency a year, as by the annexed copy of the last-mentioned act, (No. 9.) will appear: and the people, not only cheerfully paid that liberal salary to Lord Howe during his administration, and laid out 1350l. in

in the purchase of a house for his residence, but, by an act passed immediately after his death, the Assembly also granted 2500l. for payment of his Lordship's debts and funeral charges, and presented the overplus to Lady Howe.

On the death of Lord Howe, one Mr. Peers, who was then Speaker of the Assembly, endeavoured as much as he was able to obtain the government of the island (as some of his successors have unsuccessfully done since) but being disappointed, and having a very powerful influence over most of the other members, he prevailed upon them, not only to reduce the salary of Mr. Byng (who succeeded Lord Howe, in 1739) to 2000l. currency a year, but also to form a resolution never to grant more to any future Governor. However, it seems, that upon the appointment of Sir Thomas Robinson, in 1742, the disappointed Speaker of the Assembly being then dead, they became so far sensible of the impropriety of such a conduct, that they rescinded their former resolution, and granted their new Governor a salary of 2600l. a year, to which, about six months after, they thought fit to add 400l. a year more; and as the act by which that sum was added contains the Assembly's reasons for granting an additional salary to their Governor, I have annexed a copy of it, (No. 10,) for your Lordships more particular information.

#### O B S E R V

*On the former public expences and conduct of former Assemblies of BARBADOS.*

1. From the year 1630 to the year 1730, eleven churches were built in this island at an expence of 30,000l. at least.

2. Within the same period a magazine and town-hall were built, and

The salary of Sir Thomas Robinson having thus been settled in 1742 at 3000l. currency a year, the same sum has been constantly granted without any intermission to every succeeding Governor ever since, until a majority of the last year's Assembly, under the influence of designing and disappointed leaders, like those who abridged the salary of Mr. Byng, determined to follow their example.

And as the vast increase of riches in this island, far from enlarging the generosity of the representatives of the people, has, on the contrary, rendered them less liberal and less respectful to their Governors than their ancestors were, so it seems also to have infused so contentious and refractory a spirit into their Assemblies, that for some time past they have, upon all occasions, peremptorily refused to give any such assistance and support to his Majesty's government as their loyal predecessors, in times past, never failed to grant in the most generous manner, as it plainly appears by many of their acts and proceedings now extant, and to be seen among the public records of the island, whence I have extracted the following comparative accounts of the political conduct of the former and late Assemblies, and of the past and present public expences of this island, that your Lordships may see the grounds upon which my assertions are founded.

#### A T I O N S

*On the modern public expences and conduct of modern Assemblies of BARBADOS.*

1. The present inhabitants of the island had not, until the late hurricane, any thing more to pay for under this article than the repairs of those churches,

2. Until the late hurricane the present inhabitants had been at no  
a govern-

a government-house purchased at an expence of 10,000l. or upwards.

3. Within the same space of time near forty forts and batteries were also erected, mounted with several hundred pieces of cannon, and furnished with all sorts of small arms and military stores, besides very extensive intrenchments thrown up along the accessible parts of the coast, the whole expence of which must from time to time have amounted to 300,000l. at the very lowest estimation; for there are now upwards of seventy special acts on record here, which were enacted between the years 1642 and 1730, for the constructing, erecting, completing, altering, and repairing the forts, batteries, and intrenchments in this island: and as it appears that several forts had been constructed long before the commencement of any records now extant here, and that besides the large sums raised by those special acts, a very considerable sum was also, in those times, annually applied to the fortifications, out of the produce of the Excise Acts, it seems reasonable to conclude, that from 1630 to 1730 there was not less than 500,000l. expended by the ancestors of the present inhabitants of this island, for the security of their country, which they considered as a matter of so much importance, that, even within a very few months after the great hurricane, which happened here in 1675, a very considerable tax was laid by an act of the legislature of the island, for repairing the fortifications, which had been greatly damaged by that calamity: nor does it appear that they had then the least encouragement to enter upon so laudable an undertaking, by any relief, donation, or assistance of any kind, either from England or Ireland.

4. Besides all the forts, batteries, and intrenchments, already mentioned, a regiment of horse was also

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other expences, on account of those buildings, than what their common necessary repairs required.

3. All these numerous forts, batteries, and intrenchments, having been constructed and completed long before the greater part of the present inhabitants of this island were born, they have never been at any other expence, for the security of their country, than that of keeping those works in repair which their more active and patriotic ancestors had formed; and *that* trifling expence their representatives have, for several years last past, thought so grievous a burthen, that, notwithstanding all the representations and endeavours of their Governors, they have suffered all the intrenchments, and many of the forts and batteries, to fall so far into decay, that even *before* the late hurricane, they had become almost totally useless; and soon after my arrival here (which was some months before the hurricane) the Assembly did not scruple to declare publicly, in their answer to a message from the Governor, that they "could not be at the charge of "keeping up the fortifications, *even "if their very preservation depended "upon it."*

4. No such expence has ever been incurred within the memory of any of the present inhabitants.

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raised

raised and maintained in this island, at the public charge, for many years.

5. Ships of war have also formerly (and particularly in the years 1691, 1694, 1696, 1702, 1706, and 1742) been frequently fitted out at a vast expence by the government of Barbados, to protect their trade and cruise against the enemies of the State.

6. From the settlement of Barbados to the end of the last century, and for some years of the present century, the inhabitants were so anxious to manifest their loyalty and attachment to the supreme government of the State, that, not content with providing in the most ample and vigorous manner for their own defence at home, they also frequently put themselves to very considerable charges to forward and assist the operations of the British arms against foreign enemies.

5. That laudable practice has now been laid aside (and of course the expence attending it avoided) near forty years.

6. As the representatives of the people of Barbados have for some time past been remarkably inattentive to their own security, so, notwithstanding the progress of the enemy in their neighbourhood, and detachments of his Majesty's troops have actually, within the last three years, gone upon several expeditions *immediately from the island*, they have, ever since the present war commenced, been as far from affording the least aid or assistance to the operations of his Majesty's forces, either by sea or land, as if they had been conquered enemies rather than natural born subjects of the British Government.

In the years 1666 and 1667, a very considerable assistance of men and money was given, both by public acts and private subscriptions, to Lord Willoughby, in his expedition against the French, and for the relief of the Leeward Islands; and Sir Timothy Thornhill (a gentleman of the island) who had a command in that expedition, having distinguished himself by his courage and good conduct, the Assembly, on his return to Barbados, were so generous as to vote him a present of one thousand pounds.

In the year 1692, two regiments, consisting of 1000 men, were by an act of the legislature raised, armed, and accoutred at the public charge, and sent, with upwards of 400 volunteers, on an expedition against the French at Martinique, which has been said to have cost the island 30,000l.

7. In

7. In several former wars, as often as troops were sent from England to Barbados, the officers and private soldiers were not only accommodated with quarters, but also subsisted at the public charge of the island, as appears by no less than ten legislative acts now on record; and so zealously attached to the government of their mother country were the inhabitants in the earlier days of the colony, that in the year 1668 they made a point of providing quarters and subsistence for a regiment of the King's troops, although Bridge-Town, the capital of the island, had been totally burnt to the ground but a very short time before their arrival, and then actually lay in ashes.

8. As in times past the representatives of the people of Barbados embraced all opportunities of assisting and succouring the land forces sent for their protection, so they were equally ready, upon all occasions, to afford the like assistance to the naval forces sent out for the security of their trade, as may be observed from many transactions still appearing on their records, and particularly

In the years 1693 and 1697, they passed two acts for the speedy supplying their Majesty's ships of war with seamen.

In 1695, they passed an act for the payment of 784l. sterling for provisions and other necessaries for two of his Majesty's ships of war; and,

In 1724, an act was passed for the payment of very considerable sums of money for lodgings, provisions, medicines, and physicians, for sick and wounded seamen landed on the island from the King's ships of war.

And several aids of the same nature, though of less importance, have been furnished by the island since, of which there has been one instance so late as the year 1759, when some forces were sent to assist his late Majesty's troops in the reduction of the French islands.

7. No troops having been sent to be quartered in Barbados, either from Great-Britain or Ireland, for upwards of seventy years, before the commencement of this war, the present inhabitants have never been at the charge of quartering any until the year 1779, when, upon the arrival of a regiment from England, the Assembly, after much debate, thought fit to furnish them with barracks for one year, but when that year expired they refused paying the rents of those barracks for any longer time; nor have they, during the present war, supplied the King's troops stationed among them with any other accommodations of any kind whatsoever.

8. In the course of the present war, his Majesty's fleets in the West Indies have been so far from receiving any supply of men, through any assistance given by the Assemblies of Barbados, that their commanders have always loudly complained of more desertions of seamen, and of their being harboured with more impunity there than in any one of the other islands.

By an act passed in 1779, some articles of live stock were directed to be furnished for the King's forces at St. Lucia; but it appeared to have been passed with so much reluctance, that Admiral Barrington refused to receive any part of the donation; nor have any of the King's ships, for many years past, been supplied either with provisions, or any other articles from thence, but such as they have purchased at the most exorbitant prices: and with respect to the sick and wounded seamen landed there from the King's

9. It plainly appears from the laws, and still more fully and particularly from other public records of the island, that during every war, in which Great Britain has been engaged, from the establishment of a colony in Barbados down to the year 1748, all prisoners of war brought there were always lodged, secured, and maintained, in health and sickness, at the charge of the island; and the hire and expence of all flags of truce, and other vessels employed to convey them away, were defrayed in the same manner: and very frequently those prisoners were so numerous, that the Assemblies were from time to time obliged to grant very large sums of money annually for their subsistence; and yet, such was the loyalty of the Assemblies of those days, that for a whole century they never failed to provide for that contingency as often as it happened.

10. For upwards of a century after the settlement of Barbados, the expence of entertaining the Courts of Grand Sessions (amounting to at least 200*l.* a year) was always defrayed out of the public taxes of the island.

The fortifications and public buildings of this island having been all erected and completed above half a century, and the representatives of the people having since not only totally declined giving any such aids to his Majesty's forces in these parts as their predecessors used to do, but also thrown some part even of the expence of their own internal government upon his Majesty, it must evidently appear to your Lordships, that, at the same time that the intrinsic wealth of the inhabitants has increased to the vast amount I have already mentioned, their public ex-

ships, they have, both in the late and present war, been lodged and wholly provided for at his Majesty's charge.

9. For upwards of thirty years last past, the island has been totally exempted from the maintenance of prisoners of war, who have, ever since the year 1748, been always subsisted in the same manner as the sick and wounded seamen belonging to the King's ships.

The late Mr. Hay, indeed, when he was Governor of the island, did once request of the Assembly to provide for the subsistence of the *American* prisoners; but they peremptorily refused to make any such provision, or to furnish any place, except the common jail, for the confinement of any prisoners of war whatever.

10. The entertainment of the Courts of Grand Sessions have, ever since the year 1739, been constantly paid out of his Majesty's casual revenue.

pences have, on the other hand, decreased exceedingly; and accordingly, for many years past, an annual poll-tax, sometimes of two shillings, and at other times of only one shilling and sixpence sterling a head on slaves, a small assessment upon each of the four towns, and upon windmills, potkilns, and wheel-carriages, have, with the imposition of powder on shipping, and excise duties on strong liquors imported (which two last-mentioned taxes are almost wholly paid by strangers) being amply sufficient to pay the Governor's salary, and to defray all other charges what-

whatsoever incident to the internal government of the island; whereas formerly lands, coppers, stills, &c. used to be charged with very considerable taxes: and it commonly happened that, besides the established levies, several other considerable sums were, in the course of every year, raised by transient and occasional laws, for the emergent charges of Government. But I believe I may venture to assert, that there is no other part of his Majesty's dominions, in any quarter of the globe, where the public taxes are so inconsiderable as they have been of late times in this island.

There is indeed a parochial tax raised by the vestries of the several parishes in the island, which, if applied to the support of his Majesty's Government, would long since have been complained of by the people as a very grievous burthen. There are in all the eleven parishes 176 vestrymen, who, by the authority of laws enacted long since in this island, actually levy and collect, throughout the island, by an annual assessment on lands and houses, *at least sixteen thousand pounds a year*, of which about one fourth part is applied to the payment of the ministers and church officers salaries, and some other parochial expences; and the other three parts are disposed of by the vestries in annual, monthly, and weekly pensions, to such of the inhabitants of their respective parishes as they think fit; and though this extraordinary parochial tax is of late years become so enormous, that *in the parish of St. Michael alone, it has sometimes amounted to upwards of seven thousand pounds a year*, yet, because it is so admirably well calculated to support the interest and influence of the leading men in every part of the island, they always manage so as to have it punctually paid, without the least discontent or murmur, while the Governor's salary, which, at

3000l. a year, does not amount to much more than a *sixth part* of that most *oppressive* parochial tax, is presented to be such an intolerable load as the inhabitants are totally unable to sustain.

As it has been by specious and false representations of the situation of their affairs, that the people of this island have been able gradually to free themselves from all those aids and succours, which the Crown and its representatives used to receive from their more generous ancestors; so, notwithstanding their late retrenchment of the Governor's salary, and their obstinately refusing ever since to make any provision for the support of their Government, have in fact proceeded from no other cause than a factious design of obstructing and embarrassing the measures of his Majesty's Ministers to the utmost of their power, their Assemblies have nevertheless, in all their speeches, memorials, and petitions, of the last and present year, artfully endeavoured to impose upon their Sovereign and fellow-subjects, so far as to persuade them to believe, that the inhabitants (*though in truth immensely rich and flourishing*) are so much distressed, and so very poor and indigent, that it is the highest degree of cruelty to take a single farthing out of their pockets for the support of his Majesty's Government; and they have published their misrepresentations with so much confidence and plausibility, that I have thought it indispensibly necessary to lay before your Lordships this sketch of the *real* state and circumstances of the island, lest your Lordships might otherwise have been induced to apprehend that I was ungenerously attempting to lay unreasonable impositions upon a poor and miserable people, already scarce able to subsist.

And when, upon perusal of the several matters of fact which I have stated



stated, your Lordships reflect on the amazing increase of wealth, and the vast diminution of public expences, in this island, within the last thirty and forty years; when you observe the liberal settlements made on former Governors, in times when the wealth of the island did not amount to a fourth part of its present value; when the public charges were very considerable; and when the dignity of the Governor's station could be properly supported at one third part of the expence it now requires; and when you consider that I arrived in the island at the most flourishing and prosperous period this colony had ever known; and at a time too when the people, and their properties, were not only protected without any expence to themselves, but also exceedingly enriched by his Majesty's fleets and armies, I trust your Lordships will readily admit, that, after a people of such factious principles, actually possessing such an affluence of riches, had not only denied me the annual settlement they had granted to all my late predecessors, but had likewise declined making any provision for payment even of the curtailed salary they had appointed for me, I was, upon every principle of reason and equity, amply justified in establishing every demand I could lawfully make upon them.

And that the fees, which they have complained of with so much acrimony and rancour, were *legally established*, I have no doubt of being able to shew to your Lordships in the clearest manner; for which purpose I shall now proceed to answer the particular charges of the Assembly, in the order they have herein already appeared to your Lordships.

1. They charge, or rather assert, that the establishing of fees by the Governor and Council, without the express consent of the Assembly, is "in direct opposition to an express law of the island, confirmed by his Majesty's predecessors."

In answering these assertions, I must, in the first place, observe to your Lordships, that the law to which the Assembly refer, was enacted in the year 1652, when the island was under the administration of Daniel Searle, who was appointed Lieutenant-governor of it by Sir George Ayscue, after he had forced the inhabitants to submit to the usurpation which then prevailed in England.

But before I make any observation upon the act itself, I think it proper to remark, that when Barbados, and other islands and countries in the West Indies and America, were first discovered by English subjects, they were unanimously and universally allowed to be the absolute property of the King; and it was then, as I apprehend it is still, an undeniable maxim, that the King had as unlimited an authority over all such new discovered countries, as if they had been actually acquired by conquest. And accordingly his late Majesty King Charles the First, by a grant or letters patent, bearing date the 16th March, 1630, gave and granted all and singular the Windward and Leeward Charibbee Islands, from the 10th to the 20th degree of north latitude, and from the island of St. John di Porto Rico eastward, 12 degrees in longitude, and expressly comprehending the islands of Barbados, Grenada, St. Vincent, St. Lucie, Martinico, Dominica, Guadaloupe, Antigua, St. Christopher's, Montserrat, Nevis, Eustatia, St. Martin's, Anguilla, Barbuda, Deseada, and others, to James Earl of Carlisle, his heirs and assigns for ever; and the King, by those letters patent, not only granted and conveyed to the Earl of Carlisle the full and absolute fee simple and inheritance of all the lands, woods, lakes, and rivers, in the several islands before mentioned, and all others within the limits of the grant, but also gave and delegated to the grantee full power and authority to establish

establish a Council in each island, and with their advice to erect and constitute such and as many courts of judicature as he should judge requisite.

And also to ordain and appoint all such judges, officers, and jurisdictions, for those courts, and to establish such fees for the judges and officers thereof as he, with the advice of his council, should think proper. And the King did also farther grant, declare, and command, in and by the letters patent before mentioned, that all such ordinances as should at any time be made by the Earl of Carlisle, his heirs and assigns, with the advice of his or their Council, should at all times be of as much force and validity, and should be as strictly obeyed by all persons residing within the limits of his grant, as any acts passed by the said Earl, his Council, and the Assemblies of Freeholders; as by the annexed extract from the grant itself (No. 11.) will more fully appear to your Lordships.

The Earl of Carlisle having obtained the grant before mentioned, appointed Mr. Hawley Governor of the island of Barbados, who, agreeable to the authority granted by the King to the Earl of Carlisle, did, in the year 1631, with the advice of the Council, constitute four several Courts of Common Pleas in the island, each to be held monthly, for the determination of matters not exceeding the value of 500 lb. of cotton or tobacco, the Governor and Council reserving to themselves the original cognizance of all matters above that value.

In the year 1636, the same Governor, finding it expedient to make some alterations in the constitutions of the courts he had formed, did, with the advice of the Council, reduce their number from four to two, giving them authority to try matters of the value of 1000 lb. of cotton or tobacco; and upon that establishment the courts of judicature continued until the latter end of the year

1651, when Sir George Ayscue, in order to attach the inhabitants to their new government, thought it expedient to abolish the title of the Earl of Carlisle, and to give them a new title to their estates, founded upon the authority of the Parliament; and for that purpose he, before his departure from the island, passed an act, declaring that "the letters patent, intitling the Earl of Carlisle to the dominion of this place, were quashed, and declared to be void by the authority of the Parliament of England; and that all other powers, authorities, commissions, or any other pretended writings, deeds, or charters, derived from the late King, or his predecessors, or any kingly authority, or from any person or persons whatsoever, claymeing, or pretending to clayme, from, by, or under the said kingly authority, or any derived therefrom, were absolutely void, determined, expired, and of none effect, to all intents and purposes whatsoever." And also farther declaring, "that all the inhabitants of this island, that were in quiet possession of any lands or tenements, by virtue of any warrants from the former Governors of this island, or by conveyance, or any other act in law from them who had the said warrants, should have, hold, and enjoy the same as their free estate, without any interruption or molestation whatsoever, the making void the said letters patent notwithstanding."

And Daniel Searle, a man of considerable property in the island, and zealously attached to the Republican government, having by a legislative act been appointed Deputy-governor upon the departure of Sir George Ayscue for England, as before observed, the island remained under his government for several years.

And though, in fact, his authority

nity was absolute, yet, throughout the whole course of his administration, he seems to have constantly observed the pretension of having the sanction both of the Council and Assembly to all his proceedings; that in case of his being called to account upon any subsequent charge of government, all his acts might appear to have been the acts of the people themselves, proposed for his assent by their representatives. And accordingly the Earl of Carlisle's grant having been declared void, and no such other grant or charter having been made, nor any directions given by the Parliament for the constituting of any particular mode of government in the island, all legislative acts were, until the Restoration took place, always enacted by the Deputy-governor, Council, and Assembly; and an act (of which the paper, No. 12, contains a copy) having been passed, in order to restrain and regulate the fees of the Secretary, Clerk of the Peace, Clerk of the Private Courts, Register of the Chancery, and Marshals of the Courts, it was soon after considered by the pretended legislature which then governed the island, that, by reason of the uncertainty of the prices of all necessaries of life, and of the frequent changes in the affairs of the country, it would often be necessary to alter the officers fees, that they might always correspond with the circumstances of the times, and therefore they passed the beforementioned law, to which the Assembly's petition alludes (and of which the annexed paper, No. 13, contains a true copy) for the purpose of limiting the duration of the former law, and of all laws thereafter to be made for the regulation of officers fees to six months; and, because that act contains these words, viz. "The authority of this place always intending to reserve a power in themselves, at any time when

"they see fit to make the several fees more or less," the Assembly have without the least scruple asserted, that any fees whatsoever, appointed without their consent, must be appointed in direct opposition to that law. But I apprehend that it must clearly appear to your Lordships, by comparing the two acts together, that neither of them relates to any other fees whatsoever than those of the particular officers who are expressly mentioned in the table of fees annexed to the first act; so that if the subsequent act, to which the Assembly's petition refers, was actually now in force, and was allowed to have vested an exclusive power of appointing and regulating the fees of those particular officers in the Governor, Council, and Assembly, yet it seems very evident from the act itself, that no power or authority which the Governor and Council had to appoint and establish fees, either for the Governor or any subordinate officers not mentioned in the table of fees annexed to the first act, was taken from them by the other subsequent act.

But, however extensive or limited the construction of that act might have been, I apprehend it will evidently appear to your Lordships, that, notwithstanding it has, *through the ignorance of the compiler*, been introduced into the printed statute-book of this island, it is, at this time, and has long been, void to all intents and purposes. That all the acts passed in the island by the unlawful authority of the Parliament became totally void upon the Restoration, is undeniable; nor could any of them ever afterwards be of any validity or force whatever, otherwise than by being re-enacted or confirmed by the King's authority; which being known to the late compiler of the laws, he has asserted, in a note subjoined to the act, in the printed book, that it was confirmed

"firmed by President Walrond, the 7th and 8th August, 1661;" but no such confirmation, nor any memorial of it, appears in any of the records of the island, which I have ever seen or heard of; on the contrary, the annexed extract (No. 14.) from the minutes of a council held here in the year 1663, by Francis Lord Willoughby, seems to form a very strong presumptive proof, that it never was confirmed by any royal authority, whatever; for it appears, that all such former laws of the island, as were intended to be confirmed and continued in force were read: and as that law does not appear in the list, it cannot reasonably be supposed, that it ever was confirmed, or intended so to be. That it never was confirmed by any of "his Majesty's predecessors" (as the Assembly have taken upon them to assert) is evident, even from the Compiler's note; for if it had ever received the royal confirmation, the Compiler would by no means have mentioned the confirmation of President Walrond, as the only proof of its being in force: and, indeed, if, as the Assembly alledge, that act did "reserve the right of creating new fees for the public officers to the legislative body," it is highly unreasonable to imagine, that it ever was confirmed by any of the King's predecessors, or by any authority derived from either of them; because it gave the legislative body a right, which was, in the most ample manner, delegated by King Charles the Second (after he had purchased the Earl of Carlisle's grant) to Francis Lord Willoughby, and his Council, and has been continued by the Royal Commissions to all succeeding Governors and Councils of this island ever since. And, had it even been true, that this law was actually confirmed by President Walrond before the arrival of Francis Lord Willoughby, as expressed in the note

subjoined to it in the printed book; yet, in that case, if it gave the legislative "body" such a right as the Assembly have set forth in their petition, it must inevitably have become totally void again, as soon as Lord Willoughby arrived in the island, because it was *effectually repealed by the King's Commission* to his Lordship; which expressly empowered him to constitute courts of justice; and to create and appoint all magistrates, officers, and fees, with the advice of the Council only; as your Lordships will clearly observe from the Commission itself, of which I shall, in my answer to another charge of the Assembly, take a more particular notice. And therefore, I apprehend that these circumstances and observations will sufficiently convince your Lordships, that the law "in direct opposition" to which the Assembly assert the Governor's fees have been established, has long since been void, and of no force or effect whatever. And that, if it really was in force, it could not be construed to deprive the Governor and Council of the right of establishing fees for the Governor, or any officers not expressly mentioned in the table of fees annexed to the former act, to which it refers. Since the passing of the two acts already mentioned, two others (copies of which are contained in the annexed papers, No. 15. and No. 16.) have been enacted for regulating the fees of public officers, one in the year 1668, respecting the fees of the Provost Marshal, and other officers mentioned in the table annexed to it, and the other in 1670, concerning the Secretary's fees; but it is to be observed, that all the officers mentioned in these two acts, and in the former, received fees long before the first of them was enacted, as the preamble of that act very clearly shews: and therefore, the records of the island not extending so far back

as the times, when courts and officers were first established here; and, it being a well-known and undeniable fact, that all the courts, offices and officers established in the island before the Usurpation, were constituted and appointed by authority of the King's grant to the Earl of Carlisle; and the grantee, and his substitutes, being by that grant impowered to create and appoint fees, as well as courts and officers, there is the strongest reason to conclude, that the fees of all the courts and officers which existed at the times of making these acts, had been originally appointed by the Governor and Council, when they established the courts and offices to which the several officers, whose fees are limited by the acts, belonged. And it seems very apparent from these acts themselves, that the creating of fees was not their object; but that they were principally enacted for the purpose of subjecting all subordinate officers, who were, or should be guilty of extortion, to such express penalties and punishments, as *perhaps could not otherwise*, have been so properly laid and appointed, as by acts of the whole Legislature: and these acts having appointed certain penalties and punishments to be laid and inflicted upon such officers as should extort unlawful fees, it was necessary that the fees which all public officers had a right to receive should appear in the same acts; so that it does not seem to have ever been intended by those who passed these acts (or at least not by those who passed such of them as were enacted under Kingly Government) to place the power of appointing fees *totally* in the Governor, Council, and Assembly; but only to use that legislative authority for the punishment of extortion. And with respect to the Governor, nothing can more clearly prove, that none of these acts extend, or were ever intended to ex-

tend to him, than the circumstances of his being expressly empowered by the very acts themselves to hear and determine upon all complaints made of any officers offending against them. A power which would never have been entrusted to the Governor, if the acts had been intended to extend to him; or if his taking of fees for himself had been considered as any violation of them; and even if no such power had been vested in the Governor by these laws, I conceive they never could have been construed to extend to him; because it so plainly appears by the preambles, that only subordinate officers were meant to be included in them: and, indeed, it cannot reasonably be imagined that any Governor, or Commander in Chief, would ever have assented to laws by which (if they extended to him) he was to be divested of a very material part of his legal authority, and placed upon a level with some of the lowest public officers in the island.

But, although I was myself always fully convinced by the several reasons I have now submitted to your Lordships, that the fees established for me in Council were not repugnant to, or inconsistent with any law of Barbados, at this time in force. I nevertheless thought it advisable to lay the matter before his Majesty's Attorney-general of this island, for his consideration; and, as I have every reason to believe him a gentleman of the strictest integrity and honour, I am confident that the opinion he has given upon it is a true and candid declaration of his real sentiments.

Your Lordships will see an exact copy of it in the annexed paper, No. 17, and I cannot but persuade myself, that when your Lordships shall have perused, and duly considered it, together with the several preceding observations, you will be clearly convinced, that the late esta-

blishment

Enfranchisement of fees complained of by the Assembly, is neither contrary to, nor inconsistent with any one law now in force in this island.

But before I conclude my remarks upon these laws, it may not be improper to observe to your Lordships, that they have all been long considered as *obsolete*, with regard even to those very public officers who are expressly specified and included in them; for all those officers daily receive, and take, *with impunity*, a very great number of fees, which are neither comprehended in, nor allowed by, any law that ever passed in this island, and all those extra fees are so far from being deemed illegal, that the several officers do not scruple to enter them in the public Tables of Fees, hung up in their respective offices: and I am credibly informed, that notwithstanding those fees are exceedingly higher, and much more numerous than the fees appointed by the laws, their *legality* has not once been called in question within the memory of any of the present inhabitants; and it appears from the History of Jamaica (whence I have extracted the passages, No. 18, for your Lordships perusal) that the case has been the same with respect to a similar law of that island: a though that law was made above forty years after the latest of the Barbados laws, which I have mentioned, and actually confirmed by the King, which neither of the Barbados laws relating to the fees, ever was.

The Jamaica law was made but in 1711; and if the historian's account is true, the public officers of that island had not begun to deviate from it above 21 years, when prosecutions were commenced against several of them for extortion, which being represented to the King, his Majesty, in the year 1765, was pleased, by his order in Council, to direct the Governors to supersede all those prose-

cutions, and to establish all the fees then taken by the public officers, "although the same should have exceeded the rates settled by the act of 1711."

And therefore, if his Majesty, upon the report of your Lordships predecessors, was pleased to allow and confirm to the public officers of Jamaica those fees which they had gradually established for themselves, not only without the consent of either the Governor or Council, but also in opposition to a public law of the island, so recently made, I trust your Lordships will not think it unreasonable for me to hope, that as the fees now in dispute have been formally established by the authority of Governor and Council, they will meet with, at least, an equal indulgence from his Majesty and your Lordships, even if they should not be thought strictly conformable to laws made by the authority of an unlawful Government, above half a century prior to the law of Jamaica, which was deemed to be obsolete in 1765.

With regard to the second and third charges of the Assembly, viz.

That the taking of fees by the Governor is contrary to the ancient statutes of Great-Britain, and the ancient Charter of Liberty, I have only to observe to your Lordships, that they are wholly founded on the suggestions of one of the members of the Assembly (since dead) who was a Barrister at Law; and who, for his turbulent proceedings, insolent behaviour, and factious attempts to obstruct and embarrass his Majesty's Government, had formerly been removed by the late Governor from the office of Solicitor-general of this island. The Assembly's petition was framed by him, and contains the substance of a laboured speech which he had made in the Assembly, on the subject of these fees, and wherein he endeavoured to shew, that they were con-

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trary

itary to the 29th chapter of Magna Charta, and the statutes of Edw. I. 20-Bed. III. 12-Rich. II. &c.

Now for those statutes may, in these times, be applicable to Judges, Sheriffs, and other officers of the King in England, is unnecessary for me to enquire; but I have always understood that they have never been adjudged or construed to affect or extend to any proceedings of the Governor and Council in any one of his Majesty's colonies; for as none of these colonies existed until several centuries after these statutes were made, neither the Governors, nor any other magistrates or officers since established there, could possibly have been comprehended in them, and as it is held that no act of parliament passed in Great-Britain since the settlement of the colonies is in force there, unless the colonies are therein particularly mentioned, so, upon the same principle, it seems very evident that no statute laws, made for regulating any particular departments of the internal government of England, prior to the establishment of the colonies, can possibly be in force in those colonies; for if no acts of parliament passed in England since the establishment of the colonies are to operate there, but such as expressly mention the colonies, it must necessarily follow, that if Magna Charta, and the other ancient statutes, to which the Assembly refer, had been enacted since the settlement of the colonies, they would have been of no force there, because there is no mention of the colonies in either of them; and as they could not, for that reason, have operated in the colonies, if they had been made subsequent to the colonial establishments, it seems highly unreasonable to contend that they should be in force there, merely because they were made *before any of the colonies existed*.

The principal reasons why British

acts of Parliament passed since the establishment of the colonies, and which do not mention them, are deemed not to be in force there, seem to be, 1<sup>st</sup>. Because the Parliament could not, when they passed such acts, have had the colonies at all in contemplation. And 2<sup>dly</sup>, because, if all acts of Parliament were to operate indiscriminately in the colonies, many of them, though very useful and beneficial in Great Britain, might probably prove extremely inconvenient and injurious in the colonies. And these reasons are not *less*, but rather *more* applicable to the ancient than the modern statute laws of Great-Britain, it being certain that the Parliament which enacted those ancient statutes could not have had the colonies at all in contemplation, because they did not then exist; and I am informed that most of the arrangements and establishments upon which the advantages drawn by Great Britain from the colonies are founded, are so inconsistent with many of the ancient statutes of England, that if they were in force there, they would create the utmost confusion imaginable.

Whence it seems very evident, that none of the ancient statutes of England are in force in the colonies any more than in the modern acts of Parliament, in which the colonies are not mentioned; and, upon that principle, most, if not all of the colonies, have, at various times, by acts of their own legislatures, occasionally declared such old statute laws of England as they thought convenient for themselves to be in force among them; a measure totally superfluous and unnecessary, if those statutes had been already binding upon the inhabitants residing in the colonies.

I conceive, however, that if the ancient statutes to which the Assembly allude, were actually in full force here, the establishment of the  
fees

fees complained of would not be at all affected by them, because by the original constitution of the government of this and all the other Charibbee Islands, the power of creating and establishing fees was vested in the Governor "with the advice of the major part of the Council," as I shall now proceed to prove to your Lordships, in my answer to the two next succeeding charges of the Assembly, viz.

4. That the establishing of fees for the Governor is an illegal exaction.

5. That it is an unexampled usurpation.

Francis Lord Willoughby, of Parham, having resided some short time in Barbados, in the quality of Governor, by the appointment of the Earl of Carlisle, and having in the year 1651, been banished from thence by an act of Assembly, which Sir George Ayscue directed to be passed for that purpose, was again appointed Governor of the Island by King Charles the Second, who purchased it soon after his restoration, from the representative of the Earl of Carlisle.

By the King's commission, bearing date the 12th June, 1663, and of which your Lordships will find an extract in the annexed paper, No. 19, Lord Willoughby was invested with the same ample powers of legislation, as had before been granted by King Charles the First to the Earl of Carlisle: and particularly his Lordship was empowered to "constitute, ordain, and appoint, such and so many Courts of Judicature in all causes, as well as criminal as civil, and also in all martial and marine causes, and by such names and titles as the said Lord Willoughby, by and with the advice and consent of the Council, or the major part of them, should conceive necessary and requisite, and also to direct and appoint what matters, causes and com-

plaints should be heard and determined, and what manner and form of proceedings should be used, and observed in all, every or any of the said courts."

And also for the said Lord Willoughby, his deputies and assignees, to constitute, ordain, and appoint justices, judges, and other officers, by such titles as he should think good, to hear and determine all matters and complaints which should be therein commenced and depending.

And to grant and to allow to the said justices, judges and officers, such powers, authorities, fees and privileges, as the said Francis Lord Willoughby should conceive fit and reasonable."

Francis Lord Willoughby dying about three years after his arrival in the West-Indies, his brother William Willoughby was appointed to succeed him in the government of the Charibbee Islands. And by another commission from the King, bearing date the 3d of January, 1666 (and of which the annexed paper, No. 20, contains an extract) he was invested with all the same powers as had been granted to his immediate predecessor; and particularly, he was authorized to constitute and appoint courts of judicature, justices, judges, and all other officers: "and to allow them such powers, authorities, fees, and privileges as he the said William Lord Willoughby should think fit and reasonable."

And from the administration of William Lord Willoughby down to the present time, the commissions of this Island, have contained almost all the same powers, and have been framed nearly in the same words as the two commissions before mentioned.

The power of constituting courts, appointing magistrates, and fees in particular, has been invariably continued in every commission, as your

Lordships



Lordships will observe from the annexed extract (No. 21) of my commission from his present Majesty, which grants me "*full power and authority, with the advice and consent of the Council only, to erect, constitute and establish such and so many courts of judicature and public justice within this Island, as I and the Council shall think fit and necessary, with all reasonable and necessary powers, authorities, fees and privileges belonging thereunto.*"

It appears, that notwithstanding the ample legislative powers granted by King Charles the First to the Earl of Carlisle, the government of Barbados never was settled upon a fixed and permanent foundation, until Francis Lord Willoughby was appointed Governor of these Islands by King Charles the Second. And it is evident, that the constitution of the present government of this Island, is wholly founded upon the King's commission to that nobleman, which being granted by the same authority, was of the same force, and served the same purposes of legislation as the respective charters granted by the King to the several colonies of North America; and with respect to the inhabitants, it has hitherto been as firm and inviolable a charter as they could have had, for none of the privileges and immunities granted to them by that first commission, have ever been taken away or abridged, but the whole have been constantly renewed and confirmed by the respective commissions of all the subsequent Governors of this Island ever since — By the first commission, the Governor was impowered and directed to appoint a standing Council of twelve persons, *and to call assemblies of freeholders*; which Council and Assembly, together with the Governor, forming a legislature of three distinct branches, the several rights, powers, and functions, which the King had

thought fit to entrust to each branch, as well as the joint powers of the whole, were expressly mentioned and declared in the same commission; and, except that the King has since taken the appointment of the Council into his own hand, none of their other rights, powers, or privileges, have ever yet been taken away from either branch by any subsequent authority whatsoever; and accordingly the powers of constituting courts of judicature, and of appointing all magistrates offices and fees being expressly and clearly vested in the Governor, with the advice of the Council, I shall now lay before your Lordships some of the many instances in which the Governors of this island, and even their deputies, have at various times exercised those powers, with the advice of the Council, agreeable to the constitution of the government. In a council held by Francis Lord Willoughby, on the 1st of September, 1663, (an extract of the minutes of which appears in the annexed paper, No. 22.) about six weeks after his arrival in Barbados, a committee of three members of that board were appointed to enquire into the state of the courts of Common Pleas, and to frame such new regulations for those courts as they should think necessary, and those members having made their report to the Governor in council.

In a council, held the 12th and 13th of January, 1663, (as appears by an extract of the minutes in the annexed paper, No. 23.) certain new temporary regulations respecting the Courts of Common Pleas were put to the vote, and being approved by the majority of the Council, were ordered by the Board to take place accordingly.

In a Council held on the 3d February, 1663, (as appears by an extract of the minutes in the annexed paper, No. 24.) it was "*unanimously resolved that no court of law or equity*"

equity could be established in this island, but by virtue of his Majesty's commission to his Excellency granted, dated the 12th day of June (then) last past; and that the said courts ought to be established in such manner as by the said patent was directed, viz. by his Excellency, with consent and advice of his Council, or the major part of them; and in no other manner; and that all matters and causes in the said courts, and forms of proceedings therein are to be appointed by his Excellency, by and with the consent of his said Council, or the major part of them, and the justices, judges, and officers of the said courts; and their fees, styles, and titles, are from time to time to be nominated and appointed by his Excellency, at his will and pleasure: and this all the said Council concluded to be true and littrell sent and meaning of his said Majesty's commission to his Excellency granted; and accordingly,

In the next Council, held the 1st of March, 1663, the Court of Chancery was by the Governor and Council settled and ordered to be held by three commissioners, or judges, to be appointed by commission from the Governor; and that three masters should also be appointed by the same authority, as appears by an extract of the minutes of that meeting in the annexed paper, No. 25.

In the next succeeding Council, held the 9th of March, 1663, three judges and three masters of the Court of Chancery were appointed by the Governor accordingly, as will more particularly appear by the extracts of the minutes in the annexed paper, No. 26.

In a Council, held the 11th of October, 1664, the Courts of Common Pleas were by the Governor and Council reduced from five to two, as by the minutes of that Council, and the ordinance thereon re-

ferred to (inserted in the annexed paper, No. 27.) will more fully appear to your Lordships. But in this place it is proper to observe to your Lordships, that an act passed by the President, Council, and Assembly of this island, on the 20th August, 1665, (about two years before Lord Willoughby's arrival) by which five courts of Common Pleas had been appointed, and their sittings and proceedings established, being entirely set aside by these subsequent regulations and changes made by the Governor and Council, it seems that their authority was called in question by the Assembly, and some others of the inhabitants, for which reason the annexed declaration (No. 28) was published by the Governor, in which it is declared, that the constituting and regulating of courts of judicature is a prerogative of the King, and "that any law made by an Assembly here, which infringes the King's prerogative, is void and null."

And, as the Governor and Council, by virtue of the authority vested in them by the King's commission, have originally constituted all the principal courts of justice now existing in this island, so they have also, by the same authority, appointed, established, and regulated, from time to time, the fees of all magistrates, and other officers of every denomination, as it plainly appears from a variety of instances upon record, among the journals of the proceedings of the Governors and Councils of this colony; and though the several acts before mentioned were formerly made to restrain and punish the extortion of public officers, yet those journals, and other public records now extant here, very clearly shew that the authority of the Governor and Council to establish and regulate fees was always allowed and admitted, nor does it appear to have ever been controverted before the present time.

It

It appears that Francis Lord Willoughby had no sooner arrived in this island than he was earnestly requested, even by the Assembly of that time, *to regulate the public officers fees*; the acts to which the late Assembly have referred in their petition being then considered as null and void, as I have already shewn they actually were and have been ever since.

In a Council held the 14th, 15th, and 16th of December, 1663, (as appears by the minutes, an extract of which is inserted in the annexed paper, No. 32.) the Governor, Lord Willoughby, delivered to the Speaker of the Assembly certain presentments he had received from the Grand Jury, at a General Sessions of the Peace held a short time before; and the 15th article of those presentments was in the words following—*"We humbly request and desire his Excellency's care that the fees of all the public officers, and all other officers whatsoever belonging to the several and respective courts within the island be ascertained and regulated according to the laws of England; and that the said fees be paid in money or sugar, at the value of two-pence per pound, at the election of those that pay the same."*

The Assembly having considered the presentments of the Grand Jury, returned them to the Governor and Council at the same meeting, with their own sentiments upon each article; and upon the 15th article before recited, they expressed themselves in these words—*"We desire that the fees of the respective officers within this island may be speedily ascertained, according to the request of the Grand Jury."* And accordingly the Governor and Council immediately ordered, *that the Clerks and Marshalls of the several and respective courts in the island should forthwith bring into the Secretary's office a list of what fees* they then took for

*the several businesses by them "done;"* which order being obeyed and complied with, it was further ordered,

In a Council held the 2d of March, 1663-4, (extract annexed, No. 33.) *"that the several fees for the respective offices in this island, which had been read and approved on by his Excellency, should be signed by the several judges; and that fair copies should be drawn to be signed by his Excellency, with an order to command the several officers to cause the same to be fixed in their offices, in some public place."* so that it is evident, beyond all doubt, from this order, that the fees of all the public offices in the island were settled and established by Lord Willoughby in Council, in pursuance of the authority granted him by the King's commission, and without the least regard to any former law of the island; and it being customary, in those times, for the Governor, Council, and Assembly, to sit together in one place, it appears that, although the Assembly were present, the fees were established by the Governor and Council only, without the least interference on the part of the Assembly; for, in the minutes of a Council held the 28th and 29th of March, 1664-5, (extract annexed, No. 34.) are entered the reasons which had induced the Governor to remove Sir Robert Harley from his office of Keeper of the Seal of the island: and the second reason assigned for his removal is in the following words—*"Item, whereas in an Assembly held the twelfth day of September last" past, it was declared, in the presence of the free "holders" by his Excellency and Council, (of which the said Sir Robert Harley was then a member, and then also present) that the fee to the Keeper "of the Seal for confirmation of lands within" this island, should be seven pounds of sugar "per acre, and no more, for all charges and demands" whatsoever, over and above which the said Sir Robert Harley did*

exact

exact and take thirty shillings "more for every confirmation," "contrary to the order" aforesaid, by which only the fees could be established," which words declare, in the most explicit manner, not only that the fees of the Keeper of the Seal had been established by an order of the Governor and Council, but also that it was by their order only "the fees could be established."

And it also further appears, that by an ordinance, bearing date the 29th of November, 1665, (of which the annexed paper, No. 35, contains a copy) the Governor and Council did not only appoint several new offices, never known before in the island, but also granted them fees, and authorised them to recover those fees in the same summary way as had been appointed for the recovery of servants wages.

Francis Lord Willoughby having, as I have already observed, new modelled and settled the Courts of Chancery and Common Pleas, and established the fees to be taken by all the public officers of this island, failed from hence upon an expedition against the French in the Leeward Islands, where he died; and the several officers here beginning, soon after his death, to exact much larger fees than he had allowed them, the annexed acts of 1668 and 1670 were passed in order to restrain them.

From 1670 nothing appears to have occurred relative either to courts or fees, until the year 1681, when a Court of Exchequer was erected by Sir Richard Dutton, with the advice and consent of the Council.

The Governor and Council having, on the 6th of September in that year, established a Court of Exchequer, and ordered, "that fitting and convenient fees should be appointed for the Chief Baron, and the officers thereto belonging," (as is expressed in the annexed extract, No. 30.) they accordingly, on the day following, being the 7th of September, 1681, did "agree on, order, and

"appoint the several fees to be taken by the Chief Baron and officers of that court," and a table of the whole is entered at length in the minutes of the Council held on that day, as will more particularly appear to your Lordships, from the annexed extracts of minutes, No. 36.

In the same manner, and by the same authority of the King's Commission, a Court of King's Bench and Pleas of the Crown was also on the 2d October, 1683, erected by Lieutenant-governor Witham, and that court being appointed to be held by the Barons of the Exchequer, it was ordered by the Lieutenant-governor and Council, "That the fees of the new Court then erected, should be according to the Exchequer Court fees, until they were further considered, settled, or altered by that Board," as will appear to your Lordships more at large upon a review of the annexed extract, No. 31. which I have already produced in proof, of all the courts of justice here having been established by the Governor, or Commander in Chief and Council.

And that the power of establishing and regulating all kinds of fees, has constantly been exercised by, and allowed to be vested in, the Governor and Council, further appears from the annexed extracts (No. 37. and 38) of the minutes of two Councils held here, on the 28th November, 1710, and 10 April, 1711, by President Lillington. At the first of those Councils, held the 28th November, one Alexander Burnet, by his petition prayed the Board to order payment of his fees, as Escheator-General, and to allow him, "a commission of 3  $\frac{1}{2}$  per cent. upon the proceeds of escheated lands and negroes." And accordingly at the subsequent Council held the 10th of April following, a report upon his petition being read, it was ordered by the President and Council, "that a

*“ Commission of 3 ½ per cent. on the proceeds of the sales of escheated lands and negroes, should as well as all his other fees be paid him.”*

And I conceive that the annexed ordinance of Francis Lord Willoughby, No. 35, and this order of President Lillingston clearly prove, that the Commander in Chief and Council have not only a legal and constitutional authority to create and establish all public fees in this island, but also to direct and enforce the payment of them; for in the former instance the officers were, by the sole authority of the Governor's ordinance, impowered to recover their fees, in the mode which had been before established for the recovery of servants wages. And in this case of Alexander Burnet, the President and Council created a fee, and directed the payment of it, by their own immediate order.

But the authority of the Governor and Council to establish and regulate fees in this island has ever been so unquestionable, that, in some instances, fees appear to have been established by the Governor *alone*, without any consultation with the Council, of which there was a very striking example, so late as the year 1740, when the late Governor Byng having issued a new commission of the peace, directed to the then Attorney and Solicitor general, and some others of the principal gentlemen of the law, to prepare and settle a table of fees to be taken by the Justices of the Peace in this island; which being prepared and settled by those gentlemen accordingly, it was confirmed by the Governor himself, without taking any notice whatever, either of the advice or consent of the Council, as your Lordships will observe from the transcript of the table of fees itself, contained in the annexed paper, No. 39, and exactly conformable to that table are the Justices fees at this day.

And as the constituting of courts of justice, the appointment of magistrates, and the establishment of fees have, by the King's commission, been placed within the Governor's department, and the Governor, with the advice of the Council of *this* island, has always exercised those powers, so, by the *same* authority, the like powers have at all times, ever since the year 1663, been exercised by the Governor and Council of every other English island, included in Lord Willoughby's commission, as I have been assured by some of the principal and most intelligent gentlemen of Antigua; as well as by the late General Burt; from whom I received a docket of his fees, and those of his private Secretary, which were established by the Commander in Chief and Council, and are wholly founded upon *their* authority. I am also credibly informed, that fees are paid to the Commander in Chief, in the islands of Saint Christopher's, Nevis, Monserratt, &c. in the same manner as at Antigua; and therefore, as no fees whatever are appointed for the Governor or Commander in Chief by any law, either of Antigua, or of any other of the Leeward islands, it is most evident, that the Governor's fees must have been established in all those islands by the authority of the Governor and Council, *founded on the King's Commission*, and so it is expressly declared by a law formerly made in the island of Monserratt, to restrain the exactions of public officers, which enacts, *“ That the several fees expressed in a docket of fees settled by his Excellency, by and with the advice and consent of the Council of this island, shall be the fees the respective officers therein mentioned shall take, and no other,”* as appears by the 89th act, in the printed book of the laws of Monserratt; the 36th clause of which your Lordships will find in the

the annexed paper, No. 40, which clearly proves that the fees were, in that island, "originally established by the Governor, with the advice and consent of the Council," and that the sole object of the law was, only to restrain and punish public officers, as should presume to exact more, or higher fees, than the Governor and Council had appointed for them, as I have already observed to your Lordships, respecting the laws, formerly passed for the same purpose in Barbados.

And, I apprehend, it has been upon the certainty of the Governors and Councils having an indisputable legal authority to establish all officers fees in these islands, that the respective Governors and Councils of the several West-India islands ceded to Great-Britain by the last Treaty of Peace, have established fees for the Governor in each of those islands. I have not yet met with any tables of the particular fees appointed for the Governors of Dominica, St. Vincent's and Tobago, previous to the late capture of those islands; but have now, in my possession, an authentic docket of the fees paid to the English Governors of Grenada, by which it appears, that they were originally established by the Council of that island, on the 21st January, 1765, and that they exactly correspond with those of Antigua, will clearly appear to your Lordships, by comparing the copies of the two dockets, in the annexed papers, No. 41 and 42. The fees of the Governor of the Leeward Islands, and his private Secretary (though separately stated in the Antigua docket) amounting, when added together, precisely to the same sums as are mentioned in the Grenada docket, to have been settled for the Governor of that island and his private Secretary jointly.

From these several records and precedents, I presume, it will manifestly

appear to your Lordships, that the powers of erecting courts of judicature, the appointment of officers, and the establishment of fees have been, by the King's commission (the only charter of Barbados, and all the rest of the English Charribbee Islands) expressly and clearly vested in the Governor, to be exercised by him with the advice of the major part of the Council; and that whenever it has been expedient, the Governor and Council, both here and in the Leeward Islands, have ever since the administration of Francis Lord Willoughby, constantly exercised those powers; and consequently, that your Lordships will be fully convinced, that the establishment of the fees now in question, is neither "an illegal exaction," nor an "unexampled usurpation," but a legal and justifiable exertion of their constitutional authority.

In answer to the next charge of the Assembly, viz. 6 and 7, "That the fees they complain of, are new, extraordinary, unprecedented, and contrary to immemorial usage,"

I have to observe to your Lordships, that if they mean the usage of the English West-India Islands in general, I conceive that I have already disproved this charge, by shewing that fees have been long established, and always paid to the respective Governors of all those islands (*Barbados excepted*) as most persons who are at all acquainted with these parts of the King's dominions can testify; and that, if they only mean the "immemorial" usage of this island in particular, their assertion is expressly and positively contradicted by their own records, which clearly prove that a considerable number of fees were always paid to the Governor of this island, until, on account of his immense salary, they were (as before observed) discontinued by Governor Worsely.

In the year 1699, one Alexander Skene, having by letters patent from his late Majesty King William the III. been appointed public Secretary, Secretary to the Governor, and Secretary to the Council of this island; conceived that by virtue of those several offices he was not only intitled to all the fees usually received by forreign Secretaries, *who had not the office of private Secretary to the Governor* included in their patents, but also to the whole of the fees upon all official business done by the Governor in every capacity whatsoever.

But Lord Grey, who was then Governor of the island, concluding that Skene had obtained such a patent by imposition, or some other undue means, and that the King could never have intended to grant away the Governor's lawful emoluments to the Secretary, would not admit him to officiate as his private Secretary, nor suffer him to receive any other fees than such as had always belonged to the office of Public Secretary. Whereupon Mr. Skene apprehending that he was injured by the Governor, preferred a complaint against him to the King, which his Majesty was pleased to refer to your Lordships predecessors; and the Governor being required to answer the Secretary's charges, the gentlemen of the Council requested of Lord George Grey to permit them to answer those charges in his Lordship's behalf, and their own; and their answer being prepared, it was, on the 31<sup>st</sup> October, 1701, entered in the minutes of a council held that day, and afterwards transmitted to the then Lords Commissioners for Trade and Plantations. And so much of it, as expressly proves that the Governors of this island had a right to, and always had taken fees, has been extracted for your Lordships perusal, and is contained in the annexed paper, No. 33; and as

the gentlemen of the Council, from their rank and station, and their long acquaintance with the public concerns of the island, must have been better qualified to make a just representation of the matter than any other men: it cannot but be presumed, that their report was true, having fully answered all the particular allegations of Mr. Skene. They concluded their address to the Lords Commissioners for Trade and Plantations in these words: "*We humbly conceive, that by his Majesty's commission and instructions, his Excellency hath an undoubted right to the benefits and advantages accruing to him by probates of wills, licences for marriage, letters of administration and guardianship, and all other matters relating to the Government for the time being, as ordinary, to his own use.*" And we do certify, that the Governors have always appointed and employed whom they pleased to be their private Secretary, which is not only well known to us, the members of his Majesty's Council, but several former Governors now in England, viz. Sir Jonathan Atkins, Sir Richard Dutton, and Colonel Kendall can justify the same." so that

As it appeared upon this representation of the Council, that Skene was not entitled to any redress, he was removed from Sir Bevil Granville's appointment to the Government, and was obliged to rent the office of Private Secretary from that gentleman, for 300<sup>l</sup>. a year, and continued to execute it during the whole period of his administration; and after Sir Bevil's return to England, he rented it upon the same terms from Mr. Sharpe, the President of the Council, until the arrival of Mr. Growe, to whom he paid 400<sup>l</sup>. a year for the same office, and officiated in it until his misconduct made it necessary for the Governor to remove him, and appoint another Private Secretary,

who



who also paid the Governor the same annual sum of 400*l*. as a compensation for those fees which the Governor had a right to receive for himself; but which, in consideration of that gross sum, he allowed to be received by his private Secretary.

Mr. Skene being dismissed by the Governor, preferred another petition to Queen Anne, of the same purport as his former petition to King William, in consequence of which, Mr. Lowther, the next succeeding Governor, was instructed to admit him as his private Secretary.

But that gentleman having (as Lord Grey had) some reason to apprehend that such an instruction had been obtained by private misrepresentations, or some other indirect means, they thought proper to request both the Council and Assembly of the island, to enquire in a public and impartial manner, whether there was any and what foundation for Mr. Skene's claim to the Governor's fees, and to make a report of the result of their enquiry, which was accordingly done by a Committee of the Council and Assembly, and their report made to the Governor in Council on the 5th February, 1711, in which report the Committee expressed themselves in these words:

"It manifestly appears, that all your Excellency's predecessors in the Government had not only a right, but did constantly exert it, in appointing whom they pleased to be their private Secretary, who always paid such annual sums of money for the said place as the respective Governors thought reasonable, and the persons so appointed did always receive not only the aforementioned fees and perquisites, but several others arising from the Great Seal, or reason all petitions; from proving deeds, from Governor warrants of survey, from warrants of arrest, from special orders to which the seal

of arms is affixed, from proving powers of attorney, from letters of mark, and several other things which we cannot now recollect."

And, in addition to this express declaration of the Council and Assembly, two depositions also appear upon the same record; in one of which it was deposed by one Thomas Poor, who had been clerk to John Whetstone, a former Deputy Secretary of the island, that he had, "heard the said Whetstone say, that he did allow and pay to his Excellency Colonel James Kendall, then Governor of this island, the sum of one hundred pounds a year, for the benefit and profits of the Private Secretary's place (which was then reckoned a property belonging to the Governors of this island) and that, to the best of the deponent's remembrance, the said Whetstone did allow the same sum of one hundred a year to Colonel Stade, late Governor of this island (with whom the deponent then lived) for the profits of the said Secretary's place."

And in the other, it was deposed by Arthur Upton, that, upon his being offered the office of Private Secretary to Governor Crowe, the Governor told him, "that Mr. Skene, (whom he had then dismissed) gave him 400*l*. per annum, and that his Excellency pulled out of his pocket a list of fees belonging (as he told the deponent) to his private Secretary, and that he had it from Mr. Thomas Barron, who then executed the office of Secretary of this island, and that those were the fees he was to demand and take as his private Secretary; they belonging to him, upon which accounts he did agree with his Excellency, to take the said post on the same terms as Mr. Skene did give before, and that during the time, he acted as private Secretary to his said Excellency, he received the fees, and

"I am



"*signed in the list, (delivered to him by the Governor) without any comment made against him.*"

All the particulars relative to the disputes between the Governor and Secretary of the island concerning fees, which I have mentioned, and their depositions, which I have quoted, are entered at large in the minutes of the council held the 5th February, 1711, before mentioned, *a short extract of which*, together with the two depositions, and the accounts referred to in that of Arthur Upton, your Lordships will find in the annexed papers, No. 44, 45, and 46.

The list of fees delivered by Governor Crowe to Arthur Upton, and which is mentioned to be annexed to his deposition, is not entered on the record; but from those parts of the Council's answer to Mr. Skene's Me-

**Fees specified by the Council in their answer to Mr. Skene's Memorial in 1701, and therein declared to have been always received by former Governors of Barbados, viz.**

**Other fees specified by the Committee of Council and Assembly in their report, which they made to Governor Lowther, on the 5th of February, 1711, viz.**

memorial, on behalf of Lord Grey, and of the report of the committee of Council and Assembly to Governor Lowther, which I have recited, it is evident that the fees then taken for the Governor of this island, and for which their private Secretaries generally paid them, a gross annual sum, were charged upon the same articles as the fees now in question, and probably amounted, in the whole, to full as much.

The Council, in their address to the Lords Commissioners for Trade and Plantations, in behalf of Lord Grey, and the Committee of Council and Assembly, in their report to Governor Lowther, have particularly specified the following fees, as having always been taken by the Governor of this island, viz.

Proving of wills  
Marriage licences  
Letters of administration  
Letters of guardianship  
And all other matters relating to the Governor as Ordinary,  
On affixing the great seal  
Orders on all petitions  
Proving deeds  
Proving powers of attorney  
Warrants of survey  
Warrants of arrest  
On affixing the seal at arms  
Letters of marque  
And several other things which the Committee said they could not recollect.

And as all these particulars are included in the list of fees lately established here for the Governor, and the Committee of Council and Assembly have declared, that, besides the fees which they had specified in their report, there were also more fees belonging to the Governor upon "*several other things which they could not then recollect*;" and it may reasonably be presumed, that if they could have recollected the whole,

the fees belonging to the Governor would have appeared to be, even at that time, (which was 70 years ago) very near, if not quite equal to, those which have been re-established last year by the Council, for the deposition of Arthur Upton seems to amount to a full proof that the annual amount of the fees of Governor Crowe could not amount to much less than the annual amount of the fees now re-established; by that de-

position

position it appears that both Mr. Skene and Mr. Upton paid Governor Crowe 400l. a year for his fees.

And if they actually paid so considerable a sum to the Governor, it cannot be imagined that his fees, received by them, as his private Secretaries, could have amounted to less than 800l. a year, because otherwise their profits would have been adequate to their trouble; so that it may rather be presumed that they amounted to much more. But supposing they actually did not then amount to any more than 800l. a year, even that sum (considering the vast increase of public business in the island since the year 1781) was more than adequate to the annual amount of the present fees, which from the 30th of September, 1780, to the 1st of October, 1781, (being one whole year) have amounted to no more than 1161l. 19s. Barbados currency; a sum that at the present exchange of 40 per cent. does not exceed 830l. sterling, (as will appear to your Lordships by the annexed account, No. 47.) And that is as large a sum as I have any reason to expect they will ever amount to in any one year of my administration. For, with respect to the fees on letters of marque, there is not the least probability that any more will ever be paid in this island as long as the present war continues.

Since, therefore, it clearly appears, from the Journals of Council, that very considerable fees were always received by the Governors of this island, until the administration of Mr. Worley, when they were either relinquished by him, or suffered to be gradually absorbed in the fees of the public Secretary, while the persons executing that office were at the same time employed as private Secretaries to the Governor, I presume it is scarce necessary for me to observe to your Lordships the gross and barefaced falsity of those charges, wherein

the Assembly have so confidently asserted that the fees lately re-established for the Governor, "are new, extraordinary, unprecedented, and contrary to immemorial usage."

In their 8th and 9th charges, the Assembly have farther asserted, "that the fees are oppressive, and that the exacting them, at such a time as this, is the highest cruelty."

With regard to the first of these assertions, I have only to request that your Lordships will be pleased to cast your eyes upon the three annexed lists of fees, (No. 5, 41, and 42,) by which it plainly appears that the fees lately established by the Council of this island do not amount to near so much as those of Grenada and the Leeward Islands. For the fees upon the several particulars contained in each of the dockets, No. 41 and 42, amounts to 196l. 13s. 4d. whereas the whole amount of the docket established here is no more than 167l. 6s. which is less by very near one seventh part than the former; whence your Lordships will readily perceive that the Barbados fees must, in the space of a year, fall very considerably short of those of Grenada and the Leeward Islands: and therefore, having been established by a lawful authority, and being much more moderate than the fees of any other English Governor in any part of the West-Indies, they cannot, I apprehend, be considered as "oppressive," upon any principle whatsoever.

And as to the temporary fees on letters of marque, it is well known that in every English West India island but this, the Governor has always received a fee of 37l. 10s. Barbados currency, upon every commission; which being, in my apprehension, a very unreasonable fee, I have never taken any more than 10l. Barbados currency, for any one commission of marque I have ever issued.

With regard to the other assertion of the Assembly, that the exacting of

of fees " at this time is the highest cruelty," I have already proved to your Lordships, by authentic and undeniable evidence, that, notwithstanding the loss sustained from the late hurricane, the wealth of this island is, even now, *much more considerable* than it ever has been at any former period. And I have also made it appear that the fees established by the Council do not (exclusive of a receiver's salary and office-rent) amount to any more than a bare equivalent for the sum of 1000*l.* which the Assembly have taken out of the Governor's usual salary; and therefore I apprehend that your Lordships cannot think it any degree of cruelty to take that as a legal right, whence the inhabitants would willingly and cheerfully have paid of their own accord, if they had not been prevented by the prevailing influence of a malignant and disaffected faction in the Assembly.

In the 10th, 11th, 12th, 13th, and 14th charges, the Assembly have not alledged any express personal complaint against me, but have taken upon them to remonstrate to the King, that the power of establishing fees, which was intrusted by his ancestors to the Governor and Council of this island, and which his Majesty, by his commissions to three successive Governors, has thought fit to confirm, " tends to " take from the legislative body the " right of raising taxes, and appropriating the public money, and to " fix the same in the hands of the " Governor and Council."

That " it tends to give the Governor a power of suspending the " laws of the island, and the constitutional rights of the people," and even " to suspend the laws and " statutes of Great Britain;" and that " it is subversive of the very " principles of the British constitution."

Whether that power has such a

dangerous tendency as the Assembly have thus represented to his Majesty, or not, is a point that my Council will agitate much more to the satisfaction of your Lordships than I am able to do myself; and therefore I shall only observe, that as the power of establishing fees has been vested in the Governor and Council of this island very near an hundred and twenty years, it is a very wonderful circumstance, that if it be really attended with such mischievous consequences, they should have remained so long undiscovered.

Respecting the seven other assertions of the Assembly, which I have taken notice of, and particularly the first and third, viz. that " the act " for the certain and constant appointment of officers fees reserves " the right of creating new fees to " the legislative body of the island," and that " no Governor ever pretended to set up such claims and " pretensions," I apprehend that they have already, in the course of this address, been so fully answered, disproved, and confuted, that it is totally unnecessary for me to make any farther remarks upon them. Having concluded all I have now to offer in answer to the Assembly's Petition to the King, I have only to add, on the subject of fees, that it seems very apparent from my 54th and 74th instructions, that his Majesty has always intended that his Governor of this island *should* receive, and has always concluded that he actually did receive other perquisites and emoluments besides his salary; for by the first of those instructions, several emoluments seem to be expressly reserved to the Governor as Ordinary; and in the other, his Majesty directs, that, in the absence of the Governor, the Resident Commander in Chief shall receive one moiety of the salary, and of all perquisites and emoluments whatsoever, which would have become due to the Governor

Governor if he had been upon the spot (as your Lordships may observe from the copies of those two instructions in the annexed papers, No. 48 and 49) which clearly implies, that it was taken for granted by his Majesty, that perquisites and emoluments were due to, and received by his Governor of Barbados, as well as all his other Governors, so that the Council have only established those fees for the Governor, which he was supposed to have always received; and which, in case they are not confirmed by his Majesty, will probably be the means of suppressing all Governors fees in his Majesty's West-India islands, because they have been all established by the same authority as those which are now contested by the Assembly of this island. I do not find that Mr. Estwick's memorial, transmitted to me, by your Lordships, contains any matter that demands my notice, except the Assembly's petition, that has been the subject of this address; and what relates to the annual act, by which an agent is appointed for this island in England; upon which I shall only observe to your Lordships, that whatever Mr. Estwick's conceit, spleen and malice may have prompted him to assert, I did not withhold my assent to that act, from any personal animosity to him, nor from any other private motive whatever; but merely, because I thought it inconsistent with my duty to his Majesty, to consent to the continuing a man in a public character, whom I knew to be continually using his utmost endeavours to alienate the minds of the people of this island from his Majesty's government, and totally to destroy the confidence they had in the strength and stability of the State, by invidious, false, and seditious representations of the public affairs of the Mother Country; of which, the annexed copies (No.

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50 and 51) of two of his letters to the Committee of Correspondence, are very striking evidence.

In respect to the several extracts of Journals of Council, and other transcripts which I have annexed for your Lordships information, they have been found, upon a very cursory search, of no more than an hundredth part of the public records of this Island: and I am confident, that if there had been time for a more particular examination of them, I should have been able to furnish your Lordships with an exceeding great number of other proofs in support of every fact I have herein set forth.

I persuade myself, however, that those I have been able to produce, will be sufficient to convince your Lordships

That the Assembly's pretence of the inability of the inhabitants to pay the Governor's usual salary, is a gross imposition, without the least foundation in truth.

That the salary of 2000*l.* currency which the Assembly have granted, is by no means sufficient to support the dignity of this Government under the circumstances of the present times.

That the Assembly have provided no fund for the payment of the 2000*l.* a year, which they have granted.

That the abridgment of the usual salary, and the unmerited ill-treatment I have otherwise met with, fully justify my demanding and enforcing the payment of every emolument I have any right to receive in this Government.

And that the fees complained of by the Assembly, have been regularly and lawfully established by that Board, in which alone the power of establishing fees has been vested by the Constitution of Government, granted and continued by the King's predecessors to the inhabitants of  
this

R

this island, and repeatedly confirmed by his present Majesty's commissions.

Having now closed my observations upon all the charges which the Assembly have preferred against me, I have only to add, that while I am much concerned at the trouble which this matter must give your Lordships, it affords me infinite satisfaction, that the King has been graciously pleased to refer it to the enquiry and consideration of your Lordships; whose eminent abilities, learning, and integrity, are so well known, and so universally allowed: that I am confident your report to his Majesty upon it, will be, not only candid and impartial, but also founded upon the truest principles of reason, law, and justice.

I have the honour to be, with the greatest respect, my Lords, your Lordships most humble, and most obedient servant\*,

JAMES CUNINGHAME.  
*Barbados, 18th Nov. 1781.*

No. L.

Honourable Gentlemen,

The precarious and uncertain state of the islands still continuing, no accounts whatever having been as yet had from Admiral Byron, the affair of the 4½ per cent. duty rests on the same ground of information that my letter of the 9th of March last, with its duplicate by the April Packet, gave you; and must continue so to do until more auspicious times will enable me to proceed further in this business. At present I have only to say, that as Parliament must finally determine upon this matter, and as I have now the honour of a seat in the House of

Commons, instead of the appeal proposed to the King in Council, I shall hope, upon the opening of the next Sessions of Parliament, to find the West Indies in that state of security as will entitle me to bring the case in question forward for the consideration and decision of the legislature; and I have the satisfaction to tell you, that the loss of America having opened the eyes of this country to the importance of its remaining Colonies, I have every reason to believe that the most complete justice will be done, which is all that you can require, or I expect. In the mean time I must look for your support of me by your instructions for my procedure†. The point of the Custom-house Officers having nothing to do with the collection of the duty, it being an internal duty, and not committed to them by the act of the island that gave it, must never be given up, but on the contrary firmly insisted upon. Another point to be enforced by you is, that the duty was granted specifically for the benefit of the island; and the third point that remains for you to press, is the disadvantage under which the old islands labour by reason of this tax, when the new islands have no such burthen to bear. These points properly conveyed to me by instruction from you, will greatly facilitate and promote my endeavours in your service.

Having alluded to my having a seat in the House of Commons, it may not perhaps be improper to mention the circumstances of this occurrence, as reflecting some degree of honour upon your Agent. Soon after the publication of my pamphlet

\* Here ending Governor Cuninghame's answer, the two following numbers are the only pieces of the very voluminous *Appendix* referred to in that answer, that have been thought worthy of selection; the rest being no more than acts of the island printed, obsolete acts, minutes of Council, prices of provisions, votes, &c.

† All this first part of the above letter was omitted by Governor Cuninghame, although he calls the Agent's letters *copies*.

In answer to Dean Tucker, the Earl of Abingdon, to whom I was then a perfect stranger, was pleased to make me a visit, with a view, as he expressed himself, of knowing the man who was capable of writing with so much truth and information upon so important a subject. And as from this time I have been favoured with the friendship and patronage of this noble Lord, so upon a vacancy happening at Westbury, which is his Lordship's own Borough, he made the following propositions to me: namely, "that I would do him the favour to accept of a seat in Parliament; that it should be without the expence of a single shilling to me; that I would consider myself as under no bias or influence whatsoever, but that of my own will; and that having no landed estate in this country, I would give him leave to furnish me with the qualification necessary for my election." Such is the independent seat I hold in Parliament, and such the honour that has been conferred upon me; an honour to which is added the gratification of finding myself in a situation of watching over, and of more effectually promoting the interest and welfare of the island of Barbados. From this private account of myself, I wish I could with equal satisfaction turn my eyes on the affairs of the public for your information: but here I have none but unwelcome news to send you. The mediation which was undertaken between France and this country, by Spain, is now finally over; and with it not only the hopes of peace, but the certainty of the addition of the force of Spain to that of France and America.

In Ireland a rebellion is already begun. Ruined by the American war, and disappointed in the expectation of deriving some commercial advantages from hence, associations are formed, agreements entered into not to import the manufactures

of this country, and fifteen thousand men are already raised, clothed, officered, and in arms in that country, independent of the government of this. In Scotland, if the situation be not the same, the disposition of the people is not very far from it. Hurt too in their commerce by the American war, and disappointed in their expectations of the conquest of that country, they have made use of the temper of Parliament for the release of the penal laws respecting the Roman Catholics, as the ground of their discontents, and to oppose this, have sent deputies from the fifteen Synods, into which Scotland is divided, to Edinburgh; and who, as Lord George Gordon stated it to the House a few days ago, were actually sitting in Congress, and debating and resolving upon the measures of Government. In England we are threatened with an invasion from France, and another Spanish armada: but at present we are quiet among ourselves.

If this be the condition of the Mother-State, what has not its dependencies to fear!

With the hopes of being able to send you better news, I remain with great truth and respect, honourable Gentlemen, your most obliged and devoted humble servant,

SAMUEL ESTWICK.

June 1<sup>st</sup>, 1779.

P. S. An account is just arrived from Admiral Byron, of the 2d of April, but I find nothing has been done.

No. LI.

Honourable Gentlemen,

A packet being ordered to sail express for the islands, I take the opportunity of writing a few lines to you, of sending a copy of my letters to you of the 1<sup>st</sup> instant by the fleet, and of conveying to your hands the inclosed rescript from the Court of Spain to that of London; whereby you will find, that the much dreaded event of the junction of the House

of Bourbon, in alliance with America, against this country, has at length taken place; and what is worse, under circumstances the most awful that the annals of England ever knew; for besides the decided superiority at sea which this junction has given to our enemies, we are most unfortunately left, not only without any ally, but without the possibility of obtaining any foreign assistance in this hour of the greatest and most extreme danger. Russia has declared a neutrality, but it is a neutrality inimical to us; for she has opened all her ports in the Baltic to American Vessels. Holland has gone farther, for she has declared that she will trade with America, directly as independent States; and Denmark and Sweden have done the same. France and Spain have now united, and at sea 62 line of battle ships, whilst the whole of our force amounts but to 33. Fifty thousand men are embarking at Brest and at St. Maloes, for a double descent at one and the same time upon Ireland, and some part of Great Britain. Ireland is dissatisfied, Scotland not well pleased, and England exhausted both of its men and money. Such is our unhappy situation. From fighting for American dependence, we have reduced our own independence, to the hazard of a very inferior force being able to destroy a very superior one. If 33 ships of the line cannot beat 62, Old England is no longer itself independent.

The House of Commons is still sitting to put the country in the best posture of defence it can, and where my time being much engaged, I must for the present conclude with the greatest respect, honourable Gentlemen, your much obliged and most devoted humble servant,

SAMUEL ESTWICK.

P. S. It is supposed that Jamaica is already invaded, the French and Spaniards having a very large force in those seas, and we none, and it

is known that Mons. le Motte Piquet failed from Brest the 7th of last month, with 4 line of battle ships, 2 fifty gun ships, and 4000 troops, to reinforce Mons. D'Estaing at Martinique, so that nothing but the safety of the whole British empire is now at stake.

June 26th, 1779.

N. B. It is to be observed, that these letters, although they contain no more than the news of the day, which it is the business of the Agent, in correspondence with his constituents, to communicate, and not only this, but were written long before Governor Cuninghame went to the island of Barbados, are yet produced by Governor Cuninghame as the only grounds for his putting a negative on the Agent's bill, as well as the only evidence in proof of the Agent's "continually using his utmost endeavours to alienate the minds of the people of the island, by insidious, false, and seditious representations of the public affairs."

From the LONDON GAZETTE, June 25, 1782.

Admiralty Office, June 25, 1782.  
Copy of a letter from Lieutenant CAPMAN, commanding the *Defiance*, an armed ship in his Majesty's service, to Mr. STEPHENS. Dated at Exmouth, the 21st of June, 1782.

SIR,

I beg you will inform their Lordships, that yesterday at five P. M. Portland bearing E. by S. six leagues, I observed an armed brig standing out of West Bay; I immediately cleared for action, and stood towards her: on coming within hail, she hoisted Dutch colours, and began to engage us. The conflict lasted about two hours, when she struck to the *Defiance*, and proved to be the *Reuze*, commanded by Pierre le Turc, belonging to Flushing, of 16 long six pounders, and 1 eighteen pounder, 113 men, had been out only

only four days, three weeks off the stocks, and had one ransom on board for one hundred guineas. I am happy to inform you, in this action I only lost one man; and one wounded, though much shattered in our sails and rigging: the boat stove, jib boom and cap damaged, and several shot through our sides. The loss on the enemy's part was twenty-one killed and seventeen wounded; among the latter were the two Captains; and the greatest part dangerous. I beg leave to recommend to their Lordships, the good conduct, spirit and zeal of Mr. Williams, master, the officers, and ship's company, which at that time consisted only of 68 men; (the remainder of our complement being sick on shore) and the guns of the *Defiance* only four-pounders.

I have the honour to be. &c.

GEO. CADMAN.

*Petersburgh, May 28.* Yesterday at noon a fire broke out in that part of the town where the general market is situated, and in less than four hours a square of near a mile was burnt to the ground. All the shops where the different articles of provisions are sold, the butchery, fish-market, &c. were consumed, and the flames unfortunately reached the buildings in the opposite street. The great attention of the military and firemen, who were animated by the presence of her Imperial Majesty, prevented them from extending still further; and, by their unremitting activity, a large square of stone shops, containing the most valuable effects, and indeed the whole district of the town where the fire began, were fortunately saved.

*From the LONDON GAZETTE, June 29, 1782.*

*Admiralty Office, June 29, 1782.*

*Extract of a letter from Captain COOPER, commander of his Majesty's ship Stag, to Mr. STEPHENS, dated in Dublin Bay, June 20, 1782.*

On the 14th instant I received information, that two French Cutter Privateers were cruising off Waterford, of which I immediately sailed in pursuit. On my getting off that harbour the 17th, I spoke a fishing boat that had been taken by one of them five days before, but had not been heard of since; I therefore stood to the westward, and at day light the next morning, off Dungarvan, I discovered one of them, and, after a chase of eleven hours, took her; she proves to be *La Victoire*, of 2 eight and 14 six pounders (six of which she threw overboard during the chase.) She is a new cutter, copper bottom, sails very fast, and had 91 men; had been from Brest eighteen days. The other cutter, called the *Eagle*, of Dunkirk, of the same force, has quitted this coast.

*Admiralty Office, June 29, 1782.*  
*Extract of a letter from Vice-Admiral DRAKE, commander of his Majesty's ship Dromedary, in the Downs, to Mr. STEPHENS, dated the 25th of June, 1782.*

SIR,

You will please to acquaint my Lords Commissioners of the Admiralty, that Captain Young, of the *Ambuscade*, informs me, in his letter dated the 23d inst. at sea, of his having taken, on the evening before, a Dutch privateer cutter, named the *Middleburgh*, carrying thirteen guns and thirty-eight men; and she arrived here this morning.

*Admiralty Office, July 2, 1782.*  
*Extract of a letter from Captain Inglis, commander of his Majesty's ship the Squirrel, to Mr. STEPHENS, dated at Falmouth, June 26, 1782.*

Be pleased to inform my Lords Commissioners of the Admiralty, that I fell in with a cutter off the Land's-End, the 21st instant, and after a chase of 16 hours, took her; she proves to be *L'Amaible Manon*. mounts 8 guns and 42 men, had been from Brest fourteen days, and had

taken



taken nothing. I beg you will further inform their Lordship's, that on the 25th instant I fell in with, and retook, the Penelope schooner, belonging to Liverpool, laden with sugar and salt; she was taken by L'Escamoteur French privateer, on the 23d instant, going into Waterford.

*Admiralty-Office, July 2, 1782.*

*Extract of a letter from Capt. GUYER, commander of his Majesty's sloop Lark, to Mr. STEPHENS, dated Kin-sale, June 24, 1782.*

On the 22d instant, off the Land's End, in company with the Viper cutter, I perceived a cutter in the west quarter: we gave chase, and at one o'clock brought her to. She proves to be the Sea Lion, a Dutch privateer, from Flushing, last from Cherburgh, pierced for 12 guns, three-pounders, only eight on board, and fifty men; had taken a sloop between Lyme and Weymouth.

*Admiralty-Office, July 2, 1782.*

*Extract of a letter from Vice-admiral DRAKE, commander in chief of his Majesty's ships and vessels in the Downs, to Mr. STEPHENS, dated June 29, 1782.*

The Scourge sloop arrived this morning with Le Petit Gems d'Armes, a lugger privateer of Dunkirk, taken by the Shark, in company with the Ambuscade and Scourge.

*From the JAMAICA GAZETTE.*

*Kingston, April 27.* About noon on Tuesday, his Majesty's ship La Nymphe arrived at Port-Royal with a letter from Sir George Brydges Rodney, of which the following is a copy:

*Formidable, between Guadalupe and Montserrat.*

*SIR, April 14, 1782.*

I am this moment favoured with your Excellency's letter, and have the happiness to acquaint you, that after having had a partial engagement with the enemy on the 9th, wherein 16 of my rear were prevented by calms from joining in the

action, on the 12th I had the good fortune to bring them to a general action, which lasted from seven o'clock in the morning till half past six in the afternoon, without a moment's intermission. Count de Grasse, with the Ville de Paris, and four other ships of the line, and one sunk, graced the victory.

The remainder of the fleet was so miserably shattered, and their loss of men so very great, from their having their whole army, consisting of 5,500 men, on board the ships of war, that I am convinced it will be almost impossible to put them in a condition for service for some considerable time. I am hastening with my whole fleet to the succour of Jamaica, and you may hourly expect me, with such ships of my fleet as are in a condition to keep the sea, off the east end of your island; not a few will be obliged to repair at Port-Royal. I have the honour to be, with the highest regard,

Your most obedient and

Most humble servant,

G. B. RODNEY,

*His Excellency Gen. Campbell.*

In consequence of the above intelligence, this town was illuminated in the evening in a very splendid manner. A band of music was also posted in the balcony of the British coffee-house, which played God save the King, and many other favourite pieces, amidst the joyful and repeated acclamations of a great number of inhabitants and others.

Yesterday afternoon the prizes taken by Admiral Rodney arrived at Port-Royal, accompanied by his Majesty's ships Royal Oak, Alcide, Centaur, and Alarm, and a Spanish schooner their prize.

*Jamaica, April 20.* On Thursday the long-expected fleet from London arrived at this island, under convoy of the Intrepid, 74 guns, the Shrewsbury 74, the Princess Carolina 50, the Sybil frigate, and the Salamander fire-ship.

*Kingston,*

*Kingston, May 4.* On Sunday last four of his Majesty's line of battle ships and three frigates sailed from Port-Royal to reinforce Sir Samuel Hood, now cruising off the coasts of Hispaniola, with 24 coppered ships and several frigates, to intercept Mons. de Guichen's fleet, which, as it is said, is not yet arrived from Old France; but may be daily expected.

Monday Sir George Brydges Rodney, in his Majesty's ship *Formidable* of 96 guns, with the *Prince George* 90, *Duke* 90, *Ajax* 74, *Rusell* 74, *Warrior* 74, *Hercules* 74, *Fame* 74, and *Flora* 40, (attended by the *London* 90, Rear-admiral Graves, who had sailed the day before, and was ordered into port by Sir George) conducted in *La Ville de Paris* 119 guns, having the *Comte de Grasse* on board, *L'Ardent* 64, *Le Caton* 64, *Le Jason* 64, *L'Amiable* 36, and *La Ceres* of 18 guns; the remainder of the prizes that graced Sir George's most important and glorious victory.

Sir George Brydges Rodney in the *Formidable*, for three hours, while pouring destruction into the bosoms of the enemy, was involved in so thick a cloud of smoke, that he and his ship were invisible to the officers and men of the rest of the fleet, who, during that time, were under the most fearful apprehensions for his fate. No other signal was made, *this ever memorable and glorious day*, but the general one for action, and that for close fight.

The enemy were so confident the affair would be no more than a *brusé*, that they did not even remove the live oxen that crowded the decks of several of their ships, to prepare for action, many of which, flung to madness by their wounds and the hideous roaring of the cannon, broke loose; and greatly aggravated the terror and confusion that prevailed amongst their *crest-fallen owners*.

On the 15th of March, a Spanish squadron appeared off Rattien, consisting of two ships of the line, a frigate, and 19 sail of transports. The batteries of Port-Royal harbour were attacked the same day, and on the 17th the place surrendered, the garrison and inhabitants being made prisoners of war, the batteries, magazines, and public stores demolished, the houses burnt, and the settlement totally destroyed. On the 23d, the Spanish squadron went over to Truxillo-Bay, and landed a body of troops, who marched through the country to the British settlements at Black River, which experienced the same unmanly and cruel devastation.

On Thursday his Excellency le Comte de Grasse, attended by several of his officers, arrived at the King's House in Spanish Town, from on board *La Ville de Paris*, and after a short visit to his Honour the Lieutenant-Governor, retired to a house fitted up for his reception.

*Translation of an Address (in the French language) from the Citizens of Geneva to the Earl of ABINGDON.*

MY LORD,

Our fellow-citizen Monsieur de Roveray has informed us how generously your Lordship has interested yourself in the fate of our country, and what efforts you have made to serve it by an application to the British Ministry.

The sense of gratitude is particularly pleasing to the human mind, when the conduct of the person who becomes the object of it has secured to him a truly merited and indubitable claim to regard and to esteem. Devoted to your Lordship, we feel it impossible to avoid uniting these with the firm principles of our attachment; and we must beg your Lordship to accept of our assurances that it is at once respectful and sincere.

The pleasure which we formerly received

received from the residence of your Lordship within our city, and the services which you were inclined to render us at period in a considerable degree similar to the present, but infinitely less afflicting, has made too deep an impression upon our hearts ever to be forgotten.

We leave your Lordship to judge with what redoubled gratitude these sentiments have inspired us, when we reflect that we are still more and more devoted to you in consequence of additional and recent obligations. Friend of Liberty and of Justice! Protector of the Oppressed in whatever quarter of the world they may be found! These, these, my Lord, are your titles to our veneration; and these will bind us to you until the last moment of our lives.

Continue, we beseech your Lordship, to watch over the situation of a little State, whose struggles must prove interesting to all in whom the fine feelings of humanity are not totally extinguished, and which is on the point of being sacrificed to those principles of despotism, opposed so wisely, so forcibly, and so nobly, by your Lordship in your own country.

We rely upon your Lordship's goodness for a constant attention to every recital which Messieurs Isaac Du Roveray, Daniel de la Roche & Siordet, may have the honour of giving to you, with respect to the circumstances in which we now are plunged, and to those means which may appear the most likely to relieve us from the load that presses with so calamitous a weight upon us. We have invested these fellow-citizens with the necessary powers to treat, in our name, not only with the British Ministers, but with all generous persons, who, like your Lordship, are affected at our situation.

May we presume to intreat your Lordship to facilitate their reception from the Minister, as our agents, and to favour them with your wise coun-

sels and support, throughout the measures which they hereafter may find it necessary to adopt?

We have the honour to be, with great respect,

My Lord,

Your Lordship's most humble  
And most obedient servants,  
The Commissaries of the Citizens  
and Representative Burgesses of  
Geneva.

F. D'IVERNOIS, Secretary,

Geneva, June 10, 1782.

To the Earl of Abingdon, &c. &c. &c.

*Copy of the Answer of the Earl of  
ABINGDON to the foregoing Ad-  
dress.*

London, June 20, 1782.

GENTLEMEN,

I have had the honour to receive your address to me of the 10th instant, and whilst I feel much satisfaction in finding that any endeavours of mine for the services of the citizens of Geneva have met with your acknowledgments, it is with an equal share of regret that those endeavours have not been so useful to you as my wishes would have led them to be. Of the situation of this country you are not unapprised. Rent by divisions at home, and surrounded by enemies abroad. There was a time when the fleets of this country were the speaking trumpets of justice to the whole world. It was then when your grievances would have been listened to, and your redress had been certain. As it is, sad is the reverse! but this is the business of this country, and not of Geneva, and which I mention only as a reason of concern for the incapacity of this country, to speak to the enemies of the liberties of mankind in its wonted tone of authority. You may rest assured, however, if any opportunity arises, in which my interference here can in the least assist towards the relief of Geneva, in its present hour of danger and distress, that

that no occurrence will be more agreeable to me than such an occasion.

The mention you make of my former residence in the city of Geneva, and of my then anxiety for the liberties of its citizens, cannot fail to increase the pleasure of this recollection in me, by perceiving that it has not been forgotten by you.

In the continued wish for the enjoyment of your liberties, without which the life of a man is the life of a beast, and for the general welfare of the citizens of Geneva, I have the honour to remain, gentlemen, your much obliged, and most devoted, humble servant,

ABINGDON.

*A Monsieur Monsieur D'Ivernois,  
Secrétaire des Commissaires des  
Citoyens & Burgeois, Représentans de Geneve.*

*The following are Copies of Letters, and  
of Extracts of Letters between Lord  
GEORGE GERMAIN and Governor  
CUNINGHAME.*

#### LETTER I.

*Extract of a letter from Governor  
CUNINGHAME to Lord GEORGE  
GERMAIN, dated Barbadoes, Sept.  
20, 1780.*

"Your Lordship will perceive from the minutes of the Council and Assembly (which I have the honour of transmitting to you by this opportunity) the little harmony I found subsisting between these two branches of the legislature.

"The Levy Bill which the Assembly passed, interfered so materially with my instructions, that the Council rejected it; and, to induce the Assembly to pass such a Levy Bill, as I could consistent with my instructions comply with, I sent them the instruction, with the opinion of the Attorney and Solicitor-general.

"I therefore flattered myself, that such a step, with the advice of the Council, must induce them, upon

their next meeting, to pass a proper Levy Bill; your Lordship will be a competent judge upon this occasion, as I have the honour of sending the objectionable clause in the Levy Bill, a copy of the 15th instruction, with the opinion of the Attorney-general thereon, not doubting but your Lordship must approve of my resisting the encroachments the Assembly are making upon the executive powers; they presume, upon the necessity of the times, which certainly requires a Levy Bill, no person upon this establishment having been paid for sixteen months past.

The power in the Assembly seems to be vested in Sir John Alleyne, under him the active person is Mr. Duke, the late Solicitor-general; Sir John's power arises from the number of absentees; who employ him as their attorney, the society of which the Archbishop of York is Chairman also employs him in the care of the College estate. Captain Reynolds, the Provost-marshal of this island, sent him a power to appoint a deputy to Sir John, so that your Lordship will perceive that those people who ought to strengthen the hands of a Governor, are increasing the power of a popular leader, who constantly opposes the King's measures in this island; and at the head of this Assembly is endeavouring to rob the Crown of the executive power, and when thwarted in their purposes, are ready to throw every thing into confusion.

And I am sorry to be obliged to observe to your Lordship, that all the great offices being vested in partees, who only look out for the highest bidder as their deputy, or the person that can give the best security, and that deputy not being content with less profit or more than his principal, curtails both the power and profits of a Governor, and as no fees have been established by the Governors here, unless by private agreement, I have, with the advice of the Council,

Council, and indeed the general approbation, determined to have the same paid to me that are usual in other governments, which will supply the deficiency in the Assembly's grant to the Governor, should it be thought right for me to accept it, but of this I am doubtful, hoping that I may hear from England before this Assembly expires; another circumstance I must mention to your Lordship, which I hope will meet with serious consideration at home, I mean the hardships imposed on a Governor at this distance by the instructions given, which are diametrically contrary to the laws of this island acquiesced in for half a century; if the Lords Commissioners of Trade will take the trouble to compare the instructions and the laws of this island, and explain to the Governor how far these laws are in force, it will be very satisfactory to me, as I have at this instant found our most experienced lawyers puzzled. It is fortunate for me to find so able an Attorney and Solicitor-general; the first of them I must particularly recommend to his Majesty's favour. The appointment of salary, voted by the island, is only one hundred pounds per annum, it certainly ought to be increased, and paid by the Crown, as in the other islands.

I am sorry that the strain of the letters written by the Agent of this island, Mr. Estwick (a copy of which I have enclosed to your Lordship) obliges me, from the captious manner in which he represented Sir George Rodney's success, and his insinuation, that I carried an instruction about relieving them from the four and a half per cent. duty, when I assured the gentlemen of the island, on my departure, of the contrary; I say, my Lord, this conduct of his has determined me to refuse my assent to the bill for his salary, as I

never, when I am employed in a public capacity, mean to encourage those who wish to distress the King's Ministers.

With respect to the Council here, I have as yet no particular reason to find fault with their conduct, I have insisted, in strong terms, on their attending the business of the island; and, indeed, they have complied fully with my request: yesterday I sat from ten to five in the afternoon in Chancery, and am determined to be regular in my attendance.

I have had some applications for seats at the Council, but as I think a proper choice of those that ought to preside there, is a most essential point for his Majesty's service, I cannot proceed to recommend till I have full knowledge of their characters and situations; and as it is necessary to avoid for his Majesty's service, a monopoly of counsellors in one family or cabal, I flatter myself, that so much respect will be held to my situation, as not to force upon me those that may be esteemed unfit for that situation.

I hope that your Lordship will excuse me to the Lords of Trade, in not writing to them by this opportunity, and to assure your Lordship at the same time, that the duplicates and papers, expected by different Boards, to be sent them from this island, would require the use of all those offices to enable a Governor to comply with their demands, which are now in possession of the Patentees, Deputies, and, in general, very ill executed; and I can venture to assure your Lordship, that most of those deputies have deputies.

( II. )

*Copy of a letter from Gov. CUNING-  
HAME to Lord GEO. GERMAIN,  
dated Barbados, Sept. 22, 1780.*

MY LORD,

I have the honour to transmit to your Lordship copies of the several minutes

minutes of council, commencing the 19th day of May last, and ending the 22d day of August following, for your Lordship's information.

I have the honour to be, &c.

JAMES CUNINGHAME.

( III. )

*Extract of a Letter from Governor CUNINGHAME to Lord George GERMAIN, dated Barbados, 22d Sept. 1780.*

I have the honour of sending your dispatch, No. 1, a list of papers sent home by Major Ferguson in the packet. No. 2, The levy bill rejected by the Council; the exceptionable clause, page 39, is interlined, and as it interfered with his Majesty's 15th instruction to me, I submitted it to the opinion of the Attorney and Solicitor-General, who advised me not to pass it if it came to me for my assent. No. 3, The minutes of Council to the 5th instant. No. 4, Assembly minutes from the 5th to the 19th instant. No. 5, Newspapers containing my speeches to the Council and Assembly, with their addresses and my answers. No. 6, Duplicate of interrogatories made at the request of Governor Morris to Mr. Nelson, late collector of St. Vincent's.

Your Lordship will perceive a curious memorial contained in the minutes of the Assembly which I declined receiving, as I knew of no such precedent.

Sir John Al'eyne I am told penned it; as I understand that this memorial has given great offence to people in general, I hope that now the ill-humour is evaporated, that they will recover their senses at their next meeting, vote a levy bill proper for the Council and me to assent to, if not it may become necessary to dissolve them, and I am persuaded that from their absurdity they have lost their popularity, which may afford us a more reasonable Assembly; but your Lordship may rest persuaded, that a

step of this sort shall not be taken without good advice and proper consideration.

I must now again repeat to your Lordship, that by the negligence of the deputies to the patentees, the Governor has not the means of carrying on the King's business without making examples.

( IV. )

*Extract of a Letter from Governor CUNINGHAME to Lord George GERMAIN, dated Barbados, 23d Nov. 1780.*

R. 29th Jan. 1781.

I had the honour and singular satisfaction to receive by the packet, the Maria Teresa, which arrived yesterday, your Lordship's letter of the 4th of October, which conveyed to me his Majesty's gracious approbation of my conduct, in rejecting the bill the Assembly offered, accompanied with an offensive stipulating resolve to the Crown, upon retrenching the Governor's salary.

I was at the same time honoured with your Lordship's letter of the 4th October, expressing in the most proper and judicious terms his Majesty's pleasure upon that occasion, with permission to lay it before the Assembly; and as I think it the properest measure to adopt in the present circumstances of the country, I have summoned the Assembly to meet on Tuesday next, that I may have an opportunity of laying this letter before them.

I think it most probable, from the recent misfortunes of the country, that they will not be inclined to augment the salary already granted. I therefore flatter myself that his Majesty will approve of my passing the bill for two thousand a year, which, with the fees established, will nearly make it three thousand a year, and will serve as a provision in some degree independent of them, to a future commander in chief, if they should continue refractory.

*refractory*. My separate letter upon that subject by this opportunity I flatter myself will meet with the approbation of his Majesty and his Ministers; and should the measure of establishing fees to the Governor be *disapproved*, it may be afterwards *commuted* for the usual salary of three thousand a year.

P. S. I forgot to mention to your Lordship that I inclose to you the last short minutes of the Assembly; the minutes at large I have not been able to procure, they are so voluminous, as they insert all their speeches at length. Your Lordship, when you peruse them, may remark a very extraordinary proposition moved for and debated, to suspend the powers of the Provost-Marshal, and to suspend the operations of the courts of justice, a measure I declared I never could consent to.

(No. V.)

*Copy of a letter from Governor CUNINGHAM to Lord GEORGE GERMAIN, dated Barbados, 23d of November, 1780.*

MY LORD,

I had the honour to communicate to your Lordship, in my dispatch by the return of the packet-boat that carried Major Ferguson, the *unanimous* advice given me by the Council here, to establish fees agreeably to what had been done in every island under his Majesty's government, and *which had been discontinued here upon the liberal grants given to their Governors*. The inclosed paper (No. I.) taken from old records, recites some circumstances to prove that Governors of this island had them formerly; and if ever it was justifiable, it must be, in my poor opinion, at this time, when every article of living is so much increased, and the resort of sea and land officers makes it necessary for the King's service and dignity, to entertain frequently.

As the Assembly still continue to resist the granting any Levy Bill,

your Lordship will perceive, that, even when I accept of the 2000l. granted, there remains no fund to pay it out of, as the legislature here have passed laws appropriating the *excise* and other funds to the general purposes of the country; I therefore presume to hope, that the measure of establishing fees, with the unanimous advice of the Council, *guarding against affecting the right of Patentees*, will serve as a full and entire justification of my conduct against a Memorial which the Assembly has threatened to send home, to be presented through what channel I know not, as by their minutes your Lordship will perceive are not to be divulged here.

The table of fees approved and established for the Governor here, I transmitted to your Lordship by the Brune frigate. The Governor of the Leeward Islands having transmitted to me the fees established for him, I find those established are considerably lower, and do not amount to one half of what Lord Macartney had at Grenada.

Your Lordship will see by the minutes of our last Council of the 14th of November, that I am desir'd to state this to your Lordship, humbly submitting to whatever his Majesty and his Ministers shall direct upon this measure.

I am, &c.

(No. VI.)

*Extract of a letter from Lord GEORGE GERMAIN to Governor CUNINGHAM, dated Whitehall, 3d of January, 1781.*

As I flatter myself Sir Philip Gibbs will be able to bring the leaders of the two parties which divide the island to some accommodation, and that the new Assembly will in consequence return to the loyal and dutiful behaviour of their ancestors, I do not think it fit to give you any new instructions upon what has passed since my letters by him were written, but refer you to those

those they contained for your guidance until I know the effect they have produced.

(No. VII.)

*Extract of a letter from Lord GEORGE GERMAIN to Governor CUNINGHAME, dated Whitehall, 7th of February, 1781.*

The Memorial intended to have been presented to you by the Assembly, is indeed a very extraordinary composition; and if it conveys the real sentiments of the majority of the Assembly, leaves but little ground to hope that the harmony and mutual confidence which are essentially necessary for carrying on the public service, can ever subsist between you. As your answer to their address was not transmitted with your former dispatches, I was not apprized of the occasion of the Memorial until I read your answer in their journals; and it was a great concern to me to find it contained so much matter for contention and ill-humour, and some expressions which might be expected to excite resentment in minds already heated, and disposed for inflammation. The Address of the Assembly certainly did not call for such severe reprehension; and the introduction of new subjects, and censuring past transactions, in an answer to an address, was irregular. I shall therefore think it a fortunate circumstance, if the Assembly's intemperance in their Memorial has the good consequences you expect, of disgusting their constituents, and inclining them to withdraw their confidence and support from them, as that may give some ground to hope an accommodation may yet take place, and that my letter of the 4th of October, with which you express yourself to be so highly satisfied, and propose laying before the Assembly, will have that most desirable consequence. Until therefore I am informed of the effect of that measure, I shall forbear to take any step for

bringing under consideration the legality and propriety of the fees you have, with the advice of the Council, appointed to be taken for you by the Secretary, as you propose recalling that order, should the Assembly make you the same allowance as they did to your predecessor.

(No. VIII.)

*Copy of a letter from Governor CUNINGHAME to the Lords Commissioners for Trade and Plantations, dated Barbados, 16th of June, 1781.*

MY LORDS,

I had the honour to receive your Lordships' letter of the 10th of March by the last packet, inclosing the Petition of the General Assembly of this island to the King to remove me from this Government, with the Memorial addressed to Lord George Germain by Samuel Estwick, Esq. who calls himself agent for Barbados. I shall, in consequence of these complaints, take the earliest opportunity of transmitting my reasons in justification of my conduct, which at present is impossible for me to do, as the critical situation of the island of Barbados, from a superior naval and military French force being in these seas, employs all my attention and activity to put the island in a proper posture of defence.

I must beg leave to remark to your Lordships my astonishment that Mr. Estwick should be received as agent for Barbados, as no bill has passed appointing him such. Your Lordships will see by a copy of the printed annual act, which I have the honour to inclose, that the Agent's Bill cannot be in force without my assent.

I have the honour to be, with great respect,

My Lords,

Your Lordships most obedient, and Most humble servant,

JAMES CUNINGHAME.

*Answer*



*Answer from the STATES OF HOLLAND to her Imperial Majesty, the EMPRESS OF RUSSIA.*

“ That ever since the commencement of the engagement resulting from the Maritime Association, their High Mightinesses have never ceased to give her Imperial Majesty proofs of the confidence they put in her good intentions, and to shew their readiness to conclude, through her mediation, an happy and solid peace with England: That their High Mightinesses still continue to entertain the highest regard for the friendly disposition of her Imperial Majesty; convinced of her steady adherence to the principles established by the Armed Neutrality, without suffering, on her part, the least diminution in consequence of a pacification between the Republic and his Britannic Majesty: that under this persuasion, and animated, on their part, by a wish of seeing, through the mediation of her Imperial Majesty, an end to the war wherein the Republic hath been involved against their inclination, through the aggression of the Court of London, by an advantageous and honourable peace, their High Mightinesses took into consideration the letter of the Right Hon. Mr. Fox, Secretary of State to his Britannic Majesty, dated the 29th of March, 1782, which hath been communicated to them by a memorial from the Ministers of her Imperial Majesty, the Prince Galitzin and De Marçoff; and also the explanatory letter of the said Secretary of the 4th of May; and that, by the contents of the letter, they find with satisfaction that his Britannic Majesty doth admit, as the basis of a separate peace with this State, the free navigation, as established by the Declaration under the auspices of your Imperial Majesty of Feb. 28, 1780; in consequence of which, the preliminary point required by the resolution of the 4th of March ap-

pears to be granted: that their High Mightinesses acknowledge, with the utmost gratitude, that such a disposition on the part of the Court of London must be attributed to the uninterrupted endeavours which her Imperial Majesty hath been graciously pleased to exert in favour of this State: that the principal object necessary for the foundation of a pacific negotiation being thus far adjusted, their High Mightinesses would not hesitate a moment, had they no other but their own particular interest to consult, in adopting proper measures towards formal overtures, under the mediation of her Imperial Majesty: that however much they are disposed to persevere in these resolutions, their High Mightinesses cannot forbear observing to her Imperial Majesty, that the constant conduct of the Court of London, particularly under the former Administration, rendered it indispensibly necessary to consider of every means in their power for their own security, in doing which, they paid equal attention to the wisdom of her Imperial Majesty, pursuant to her reiterated advice, during the course of last year, of putting themselves in a reputable state of defence: that with this view they have settled with the Court of France a plan of reciprocal operations against the common enemy, which, once engaged in, they are no longer at liberty, during the present campaign, to agree either to a cessation of arms, or a separate peace, without the concurrence of his Most Christian Majesty: this very necessary alliance, their possessions in the West-Indies captured by the enemy, and recaptured by the arms of France, and, above all, the strong appearance that a general peace will be speedily re-established, seem to their High Mightinesses so many circumstances tending to make a general pacification, as well in as out of Europe, infinitely

infinitely preferable to a separate peace, both for their own particular interest and that of all the other powers: That they wish, therefore, to suggest to her Imperial Majesty, whether, by adopting this principle, the *Republic* may not facilitate and forward the re-establishment of peace with all the belligerent powers, and co-operate in the glorious work which her Imperial Majesty, in concert with the *Emperor*, has undertaken: that in this actual state of affairs they do not entertain a single doubt, but that her Imperial Majesty will give the preference to the grand object, and to this end continue her effectual exertions with the other powers at war, their High Mightinesses being ready to appoint, without delay, Plenipotentiaries to assist at the Congress the moment a proper place shall be fixed for that purpose."

*From the BOSTON CHRONICLE.*

*Boston, March 12.*

*Extract of a letter from Capt. GERISH, of the New-England Militia, dated Albany, March 7.*

"The Peltry, taken in the expedition will, you see, amount to a good deal of money. The possession of this booty at first gave us pleasure; but we were struck with horror to find among the packages eight large ones, containing scalps of our unhappy country folks, taken in the three last years by the Senneka Indians from the inhabitants of the Frontiers of New-York, New-Jersey, Pennsylvania and Virginia, and sent by them as a present to Colonel Haldimand, Governor of Canada, in order to be by him transmitted to England. They were accompanied by the following curious letter to that gentleman:

*Tecoga, Jan. 3d, 1782.*

*May it please your Excellency,*

"At the request of the Senneka Chiefs, I send herewith to your Ex-

cellency, under the care of James Boyd, eight packs of scalps, cured, dried, hooped, and painted with all the India triumphal marks, of which the following is invoice and explanation:

No. 1. containing 43 scalps of Congress soldiers killed in different skirmishes; these are stretched on black hoops, 4 inch diameter; the inside of the skin painted red, with a small black spot, to note their being killed with bullets. Also 62 of farmers killed in their houses; the hoops red; the skin painted brown, and marked with a hoe; a black circle all round, to denote their being surprised in the night; and a black hatchet in the middle, signifying their being killed with that weapon.

No. 2. containing 98 of farmers killed in their houses; hoops red; figure of a hoe, to mark their profession; great white circle and sun, to shew they were surprised in the day-time; a little red foot, to shew they stood upon their defence, and died fighting for their lives and families.

No. 3. containing 97 of farmers; hoops green, to shew they were killed in their fields; a large white circle, with a little round mark on it for the sun, to shew that it was in the day-time; black bullet mark on some, hatchet on others.

No. 4. containing 102 of farmers, mixed of the several marks above; only 18 marked with a little yellow flame, to denote their being of prisoners burnt alive, after being scalped, their nails pulled out by the roots, and other torments; one of these latter supposed to be of an American clergyman, his band being fixed to the hoop of his scalp. Most of the farmers appear by the hair to have been young or middle-aged men; there being but sixty-seven very grey heads among them all; which makes the service more essential.

No. 5.

No. 5. Containing eighty-eight scalps of women ; hair long, braided in the Indian fashion, to shew they were mothers ; hoops blue ; skin yellow ground, with little red tadpoles, to represent, by way of triumph, the tears or grief occasioned to their relations ; a black scalping-knife or hatchet at the bottom, to mark their being killed by those instruments. Seventeen others, hair very grey ; black hoops ; plain brown colour ; no mark but the short club or cassette, to shew they were knocked down dead, or had their brains beat out.

No. 6. Containing one hundred and ninety-three boys scalps, of various ages ; small green hoops ; whitish ground on the skin, with red tears in the middle, and black bullet marks, knife, hatchet, or club, as their deaths happened.

No. 7. Two hundred and eleven girls scalps, big and little ; small yellow hoops ; white ground ; tears, hatchet, club, scalping-knife, &c.

No. 8. This package is a mixture of all the varieties abovementioned, to the number of one hundred and twenty-two ; with a box of birch bark, containing twenty-nine little infants scalps of various sizes ; small white hoops ; white ground ; no tears, and only a little black knife in the middle, to shew they were ript out of their mothers bellies.

With these packs the Chief send to your Excellency the following speech, delivered by Coneogatchie in Council, interpreted by the elder Moore, the trader, and taken down by me in writing.

Father,

We send you herewith many scalps, that you may see we are not idle friends.

A blue belt.

Father,

We wish you to send these scalps over the water to the great King, that he may regard them and be refreshed ; and that he may see our

faithfulness in destroying his enemies, and be convinced that his presents have not been made to ungrateful people.

A blue and white belt with red tassels.

Father,

Attend to what I am now going to say : it is a matter of much weight. The great King's enemies are many, and they grow fast in number. They were formerly like young panthers ; they could neither bite nor scratch ; we could play with them safely ; we feared nothing they could do to us. But now their bodies are become big as the elk, and strong as the buffalo ; they have also got great and sharp claws. They have driven us out of our country for taking part in your quarrel. We expect the great King will give us another country, that our children may live after us, and be his friends and children as we are. Say this for us to our great King. To enforce it give this belt.

A great white belt with blue tassels.

Father,

We have only to say further, that your traders exact more than ever for their goods ; and our hunting is lessened by the war, so that we have fewer skins to give for them. This ruins us. Think of some remedy. We are poor ; and you have plenty of every thing. We know you will send us powder and guns, and knives and hatchets : but we also want shirts and blankets.

A little white belt.

I do not doubt but that your Excellency will think it proper to give some further encouragement to those honest people. The high prices they complain of, are the necessary effect of the war. Whatever presents may be sent for them through my hands, shall be distributed with prudence and fidelity. I have the honour of being your Excellency's most obedient, and most humble servant,

JAMES CRAWFORD.

From

From the ROYAL GAZETTE of  
SOUTH CAROLINA, dated Fe-  
bruary 23, 1782.

*The Speech of his Excellency JOHN  
RUTLEDGE, Esquire, to the Senate  
and House of Representatives of  
SOUTH CAROLINA, at JACKSON-  
BURGH, the 11th day of January,  
1782.*

*Honourable Gentlemen of the Senate,*

*Mr. Speaker, and Gentlemen of the  
House of Representatives,*

Since the last meeting of a General Assembly, the good people of this State have not only felt the common calamities of war, but from the wanton and savage manner in which it has been prosecuted, they have experienced such severities as are practised, and will scarcely be credited by civilized nations.

The enemy, unable to make any impression on the northern States, the number of whose inhabitants, and the strength of whose country, had baffled their repeated efforts, turned their views towards the southern, which a difference of circumstances afforded some expectation of conquering, or at least of greatly distressing. After a long resistance the reduction of Charles-Town was effected, by the vast superiority of force with which it had been besieged. The loss of that garrison, as it consisted of the Continental troops of Virginia and the Carolinas, and also of a number of militia, facilitated the enemy's march into the country, and their establishment of strong posts in the upper and interior parts of it; and the unfavourable issue of the action near Camden, induced them vainly to imagine that no other army could be collected which they might not easily defeat. The militia commanded by the Brigadiers Sumpter and Marion, whose enterprising spirit and unremitted perseverance, under

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many difficulties, are deserving of great applause, harrassed and often defeated large parties; but the numbers of those militia were too few to contend effectually with the collected strength of the enemy. Regardless therefore of the sacred ties of honour, destitute of the feelings of humanity, and determined to extinguish, if possible, every spark of freedom in this country, they, with the insolent pride of conquerors, gave unbounded scope to the exercise of their tyrannical disposition, infringed their public engagements, and violated the most solemn capitulation. Many of our worthiest citizens were without cause long and closely confined, some on board prison ships, and others in the town and castle of St. Augustine; their properties disposed of at the will and caprice of the enemy, and their families sent to a different and distant part of the Continent, without the means of support. Many who had surrendered prisoners of war were killed in cold blood. Several suffered death in the most ignominious manner; others were delivered up to savages, and put to tortures, under which they expired. Thus the lives, liberties, and properties of the people were dependent solely on the pleasure of British officers, who deprived them of either or all on the most frivolous pretences. Indians, slaves, and a desperate banditti of the most profligate characters, were caressed and employed by the enemy to execute their infamous purposes. Devastation and ruin marked their progress, and that of their adherents; nor were their violences restrained by the charms or influence of beauty and innocence. Even the fair sex, whom it is the duty of all, and the pleasure and pride of the brave, to protect, they and their tender offspring were victims to the malice of an unrelenting foe. Neither the tears of mothers, nor the cries of infants,

T

infants, could excite in their breasts pity or compassion. Not only the peaceable habitations of the widow, of the aged and infirm, but the holy temples of the Most High, were consumed in flames, kindled by their sacrilegious hands. They have tarnished the glory of the British arms, disgraced the profession of soldier, and fixed indelible stigmas of rapine, cruelty, perfidy, and profaneness, on the British name. But I can now congratulate you, and I do most cordially, on the pleasing change of affairs, which, under the blessing of God, the wisdom, prudence, address, and bravery, of the great and gallant General Greene, and the intrepidity of the officers and men under his command, have happily effected—a General who is fully entitled, from his many signal services, to honourable and singular marks of your approbation and gratitude. His successes have been more rapid and complete than the most sanguine could have expected. The enemy, compelled to surrender or evacuate every post which they held in this country, frequently defeated, and driven from place to place, are obliged to seek refuge under the walls of Charles-Town, and on islands in its vicinity. We have now the full and absolute possession of every other part of the State; and the legislative, executive, and judicial powers are in the free exercise of their respective authorities. I also do most heartily congratulate you on the glorious victory obtained by the combined forces of America and France over the common enemy; when the very General, who was second in command at the reduction of Charles-Town, and to whose boasted prowess and highly extolled abilities the conquest of no less than three states had been arrogantly committed, was speedily compelled to accept of the same mortifying terms which had been imposed on that brave but un-

fortunate garrison, to surrender an army of many thousand regulars, and to abandon his wretched followers, whom he had artfully seduced from their allegiance by specious promises of protection which he never could fulfil, to the justice or mercy of their country: on the naval superiority established by the illustrious Ally of the United States—a superiority in itself so decided, and its consequences so extensive, as must inevitably soon oblige the enemy to yield us the only post which they occupy in this State: on the reiterated proofs of the sincerest friendship, and the great support, which America has received from that powerful monarch—a monarch, whose magnanimity is universally acknowledged and admired, and on whose royal word we may confidently rely for every necessary assistance: on the perfect harmony which subsists between France and America: on the stability which her independence has acquired; and on the certainty that it is too deeply rooted ever to be shaken; for, animated as they are by national honour, and united by one common interest, it must and will be maintained.

What may be the immediate effects on the British nation of the events which I have mentioned, of their loss of territory in other parts of the world, and of their well-founded apprehensions from the powers of France, Spain, and Holland, it is impossible to foretell. If experience can teach wisdom to a haughty and insatuated people, and if they will now be governed by reason, they will have learnt that they have no solid ground of hope to conquer any state in the union; for though their armies have obtained temporary advantages over our troops, yet the citizens of these States, firmly resolved as they are never to return to a domination which, near six years ago, they unanimously and justly renounced,

nounced, cannot be subdued; and they must now be convinced, that it is the height of folly and madness to persist in so ruinous a war. If, however, we judge, as we ought, of their future by their past conduct, we may presume that they will not only endeavour to keep possession of our capital, but make another attempt, however improbable the success of it may appear, to subjugate this country. It is, therefore, highly incumbent on us to use our most strenuous efforts to frustrate so fatal a design; and I earnestly conjure by the duty you owe, and the sacred love you bear to your country, by a constant remembrance of her bitter suffering, and by the just detestation of British government, which you and your posterity must for ever possess, to exert your utmost faculties for that purpose, by raising and equipping, with all possible expedition, a respectable permanent force, and by making ample provision for their comfortable subsistence. I am sensible the expences will be great; but a treasure so indispensable to the preservation of our freedom, is above every pecuniary consideration.

The organization of our militia is likewise a subject of infinite importance. A clear and correct law, by which the burthen of service will be equally sustained, and a competent number of men brought forth and kept in the field, when their assistance may be required, is essential to our security, and therefore justly claims your serious and immediate attention. Certain it is, that some of our militia have, upon certain occasions, exhibited instances of valour, which would have reflected honour on veteran troops. The courage and good conduct of the Generals whom I have mentioned, the cool and determined bravery repeatedly displayed by Brigadier Pickene, and indeed the behaviour of many officers and men of every brigade, are

unquestionable testimonies of the truth of this assertion; but such behaviour cannot be expected from militia in general, without good order and strict discipline; nor can that order and discipline be established but by a salutary law, steadily executed.

Another important matter for your deliberation is the conduct of such of our citizens as, voluntarily avowing their allegiance, and glorying in their professions of loyalty and attachment to his Britannic Majesty, have offered their congratulations on the success of his arms, prayed to be embodied as Royal Militia, accepted commissions in his service, or endeavoured to subvert our constitution, and to establish his power in its stead; of those who have returned to this country, in defiance of a law by which such return was declared a capital offence, and have abetted the British interest; and of such whose behaviour has been so far reprehensible, that justice and policy forbid their free admission to the rights and privileges of citizens. The extraordinary lenity of this State has been remarkably conspicuous; other States have thought it just and expedient to appropriate the property of British subjects to the public use, but we have forborn to take even the profits of the estates of our most implacable enemies. It is with you to determine whether the forfeiture, and the appropriation of their property should now take place. If such shall be your determination, though many of our firmest friends have been reduced, for their inflexible attachment to the cause of their country, from opulence to inconceivable distress, and if the enemy's will and power had prevailed, would have been doomed to indigence and beggary; yet it will redound to the reputation of this State, to provide a becoming support for the families of those whom you may deprive of their property.

The value of paper currency became of late so much depreciated, that it was requisite, under the powers vested in the executive, during the recess of the General Assembly, to suspend the laws by which it was made a tender. You will now consider whether it may not be proper to repeal those laws, and fix some equitable mode for the discharge of debts contracted whilst paper money was in circulation. In the present scarcity of specie, it would be difficult, if not impracticable, to levy a tax to any considerable amount, towards sinking the public debts; nor will the creditors of the State expect that such a tax should at this time be imposed; but it is just and reasonable that all unsettled demands should be liquidated, and satisfactory assurances of payment given to the public creditors.

The interest and honour, the safety and happiness, of our country depend so much on the result of your deliberations, that I flatter myself you will proceed on the weighty business before you with firmness and temper, with vigour, unanimity, and dispatch.

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*Extract of a letter from Charlestown, South Carolina, dated April 25, 1782.*

" Inclosed you have an extract, copied from a paper printed at Jacksonburgh, which will furnish you with all that we know of the proceedings of the Rebel Assembly of this province.

" *Jacksonburgh, March 1.* We have the pleasure of informing the good citizens of this state, that the General Assembly which had been for six weeks sitting in this village, was on Tuesday, but adjourned to Monday the 5th day of August next, after having passed the following weighty and interesting laws, viz.

" 1st. An act for the better regulation of the militia.

" 2d. An act to procure recruits, and to prevent desertion,

" 3d. An act for furnishing supplies for the army, to the value of 373,598 Mexican dollars, being the quota assigned to this state of the continental estimate for the present year.

" 4th. An act to vest in the Congress of the United States a power to levy duties of 5 per cent. *ad valorem*, on certain goods and merchandize, imported into this state, and on prizes and prize goods, in the Court of Admiralty of this state, and for appropriating the same.

" 5th. An act for holding Courts of Oyer and Terminer in the several districts of this state, and for making out a new jury list.

" 6th. An act for repealing the laws which make paper currency, or bills of credit, a legal tender in payment of debts in this state.

" 7th. An act to prevent the commencement of suits for the recovery of debts for the time, and on the conditions therein mentioned.

" 8th. An act to suspend the operation of the limitation act.

" 9th. An act for disposing of certain estates, and banishing certain persons therein mentioned.

" 10th. An act for amercing certain persons therein mentioned.

" 11th. An act for pardoning the persons therein described, on the condition therein mentioned.

" 12th. An act to empower certain Commissioners therein mentioned, to purchase an estate of the value of ten thousand guineas, in trust and for the use of the honourable Major General Nathaniel Greene.

" 13th. An act to revive and continue such laws as have expired since the sitting of the last General Assembly, or will expire with the present session.

" 14th. An act for settling the qualifications of the electors and the elected, at the next General Assembly.

" 15th. An act for the better defence and security of this state, during

during the recess of the General Assembly.

" 16th. An ordinance for repealing an act of the General Assembly of this state, commonly called the Admiralty Act; and for empowering the Court of Admiralty of this state, to proceed to a final sentence and decree in all cases in the said Court, *without the intervention of a jury.*

" The following state officers have been also elected, pursuant to the constitution, viz. His Excellency John Mathews, Esq. Governor; his Honour Richard Hufson, Esq. Lieutenant Governor; the Hon. Christopher Gadsden, Edward Rutledge, John Lloyd, Benjamin Gurrard, Samuel Smith, Richard Beresford, Morton Wilkinson, and Peter Boquet, Esqrs. members of the Privy Council. The Hon. John Rutledge, Ralph Izard, Arthur Middleton, John Lewis Gervois, and David Ramsay, Esqrs. delegates in Congress. William Parker and Edward Blake, Esqrs. Treasurers."

" The following is given as a correct list of those persons, whose estates are confiscated by the 9th act of these virtuous legislators.

" *Class I.*—Comprehends all British subjects who have property in South Carolina, and never have submitted to the American government. Heirs of Thomas Anam, Colonel Thomas Brown, Thomas Boone, Brice, Linwood, Fisher, and Co. John Bailey, John Bremar, heirs of Fenwicke Bull, heirs of — Batark, heirs of John Burn, heirs of Capt. Balmer, heirs of William Colletten, Colin Campbell, — Crockart, heirs of Robert Deane, Samuel Douglass, heirs of — Egecotte, heirs of Thomas Fullalove, heirs of Thomas Gibbes, Greenwood and Higginson, Robert Holmes, heirs of Roger Hatley, heirs of Richard Hill, heirs of John Hume, heirs of John Hamerton, heirs of J. Hunter, Nath. Hall, Andrew

Irwin, (of Grenada) heirs of Jere. Knott, George Kincaid, heirs of Richard Lambton, Rev. Charles Lorimer, Lord Charles Montagu, Charles Mayne, Walter Mansell, John Murray, heirs of James Michie, Patrick Mackilroy, heirs of Sir John Nisbett, Capt. Ord of the British navy, George Ogilvie, William Ogilvy, heirs of — Ormond, Owners of a lot in Gadsden's alley, Major Ralph Phillips, heirs of Rowland Rugeley, Captain Henry Reeves, heirs of Robert Raper, Roberts's Barony, John Simpson, of Georgia, John Savage, Peter Simon, heirs of John Stuart, George Saxby, Thorp's Barony, Peter Taylor, Charles Wright, Jermyn Wright, Sir James Wright, S. Wilson of the British army, Robert Wells.

" *Class II.*—Such of the former inhabitants of this country as signed the congratulatory address to Sir Henry Clinton and Admiral Arbuthnot, June, 1780. William Ancrum, heirs of Benjamin Baker, William Burt, Thomas Buckle, sen. Archibald Broun, Robert Beard, James Cock, William Cameron, Gideon Dupont, jun. Richard Dennis, James Duncan, Arthur Downes, Thomas Eustace, Thomas Else, Christ. Fitzsimmons, John Fisher, cabinet-maker, John Walters Gibbes, Paul Hamilton, sen. Joel Holmes, Edward Hare, Aaron Loockock, Alex. Macbeth, William Mackimpy, James Mackie, William Mills, William Nisbett, Hopkin Price, Edmund Petrie, William Russell, Jeremiah Savage, David Saylor, William Valentine, John Wells, jun. John Wagner, John Ward, Christopher Williman.

" *Class III.*—Those who petitioned to be armed in defence of the British government, after the conquest of South Carolina. Charles Atkins, George Cooke, John Davies, William Greenwood, William Glen, John Hopton, Alexander Inglis, Robert



Robert Johnston, Robert Lindsay, And. Mackenzie, Thomas Phepoc, Robert Philp, James Rugg, John Rose, Hugh Rose, Andrew Reid, John Smith, John Tunno, Jacob Valk, Alexander Wright, John Wragg, Richard Wayne, Robert Williams, Robert Wilson.

*" Class IV.*—Those who congratulated Lord Cornwallis on the victory gained at Camden, August 16, 1780. James Brisbane, Basil Cowper, Samuel Carne, Dr. James Clitherall, Jacob Deveau, Edward Fenwicke, John Glen, Dr. Alex. Garden, Patrick Hinds, Charles Johnston, Robert Peronneau, Alex. Rose, John Scott son of Jonathan.

*" Class V.*—Those who have borne commissions, civil or military, under the British government, since the conquest of South Carolina. Richard Ah, John Adamson, Captain Anderson, Elias Ball of Wambaw, Elias Ball of Curmantee, Robert Ballingall, Malcolm Brown, James Boisseau, John Brockington, jun. Robert Blair, — Belton, jun. Hugh Brown, Elias Buckingham, Joseph Black, Brian Cape, Robert Cunningham, William Cunningham, Patrick Cunningham, Andrew Cunningham, James Cassels, Gabriel Capers, James Carey, Daniel Clary, Captain Thomas Commander, Andrew Deveau, heirs of George Daw, John Downie, Robert English, William Elfe, Col. John Fisher, Thomas Fenwicke, Dr. James Farrar, Col. Thomas Fletcher, Matthew Floyd, John Fanning, Elias Foissin, Henry Ferguson, George Fardo, Dr. Charles Fyffe, Theodore Gaillard, James Gordon, John Gaillard, Zachariah Gibbes, Robert Gray, William Gibbes, Benj. Gregory, George Grierson, Jacob Grigger, Andrew Hibben, heirs of John Holmes, Richard King, Moses Kirkland, Benjamin Legge, John Linder, jun. Dr. James Lynah, Col. Robert Mackenzie, William

Henry Mills, John Mitchell, jun, Capt. William Mac Gallivray, Capt. William Musgrove, Christopher Mackay, Harry O'Neale, Charles Ogilvie, Philip Porcher, heirs of Richard Pendarvis, Daniel Plumber, William Rees, Benjamin Rees, Joseph Rhem, Henry Rugely, Samuel Rowe, James Robertson, James Smith, Joseph Seabrook, jun. William Stephens, David Turner, John Wigfall, Capt. Yarborough.

*" Class VI.*—Obnoxious persons, Andrew Deveau, jun. Edmund Ellis, David Friday, David Guerard, George Fuller, Nathaniel Harrison, John Linder, sen. Robert Porcher Murrel, Dr. Peter Spence, John Willard, Andrew Williamson, heirs of John Joachim Zubly.

" Names of persons, whose estates are amerced 12 per cent. by the 10th act. Robert Allison, William Blake, Edmund Bellinger, sen. Henry Blakenhorn, James Bentham, James Clarke of Edisto, M<sup>c</sup>Cartin Campbell, Alexander Chisolm, Stephen Cater, Thomas Corbett, Isaac De-lyon, John Deas, Ditto for W. Chisholme's estate, John Delahowe, William Doughty, John Freer, Benjamin Garden, Daniel Horry, Sir Patrick Houffoune, John Harleston, William Hannahan, Col. Joseph Jenkins, Cleland Kinloch, John Kerr, Edward Legge, sen. John Laroche, Lambert Lance, William Meggett, Benjamin Matthews, Richard Muncreef, William Matthewes, John Owen of Fithing Creek, Charles Pinckney, sen. William Price, Isaac Rippon, Thomas Radcliffe, sen. Maurice Simons, William Sabb, Jonathan Scott, William Sams, Joseph Seabrooke, William Stokes, John Tobler, Dr. John Wells, Alexander Wyllly.

" Greene's whole force, at no period since the action at Eutaw, has amounted to two thousand men fit for duty. The King's forces in this province (I might with greater propriety

propriety lay in this neighbourhood, as our domains do not extend in any direction, seven miles from Charlestown) exceed four thousand as good troops as are in his service, independent of militia and seamen; yet a rebel Assembly has been permitted to meet, to sit for six weeks, within thirty miles of our army, and devote to destruction every inhabitant, who has avowed himself a friend to Great Britain, without the smallest interruption on our part.

“Several meetings of the unhappy persons, who by their loyalty had drawn on themselves the resentment of the rebel legislature, have been held here. The result was, an address to General Leslie. That officer’s situation is to be pitied. He said, he would take the earliest opportunity of forwarding a copy of the address to the Commander in Chief; a circumstance that fully confirmed us in the idea, that the inactivity of the army here, was in consequence of orders from New-York.”

*London, May 29, 1782.*

On Wednesday at one o’clock in the afternoon, Lord Portchester and Mr. Petrie met by appointment in Greenwich park, in consequence of Mr. Petrie’s address to the electors of Cricklade, inserted in Thursday’s General Advertiser. Lord Portchester fired first, and the ball hit Mr. Petrie on the right side of the belly, but it is supposed not to have wounded him mortally. Mr. Petrie, though not disabled, refused to fire; for which we conceive he was well justified in policy and prudence, having obtained judgment for bribery against his Lordship to a large amount, on account of the late election at Cricklade. It is but justice to Lord Portchester to add, that his Lordship’s second did, previous to the fire, communicate to Mr. Petrie’s second, that his Lord-

ship’s post-coach and four, and a considerable sum of money in it, were, if his Lordship fell, ready for Mr. Petrie’s service to carry him wherever he should please, and to dispose of as he should think proper. The seconds were Mr. Barret and Mr. Erskine.

*Philadelphia.*

*In Council, Philadelphia, May 21, 1782.*

Whereas on the 25th day of May 1778, at a time when the British Parliament, Ministry, and King, were artfully attempting, by insidious means, to divide and destroy these United States, the General Assembly of Pennsylvania, with a dignity becoming the representatives of a virtuous and free people, entered unanimously into the following resolves, viz.

1. Resolved unanimously, That the delegates or deputies of the United States of America, in Congress assembled, are invested with an exclusive authority to treat with the King of Great Britain, or commissioners by him duly appointed, respecting a peace between the two countries.

2. Resolved unanimously, That any man, or body of men, who shall presume to make any separate or partial convention or agreement with the King of Great Britain, or with any commissioner or commissioners under the crown of Great Britain, ought to be considered and treated as open and avowed enemies of the United States of America.

3. Resolved unanimously, That this house highly approves of the declaration of Congress, “That these United States cannot, with propriety, hold any conference or treaty with any commissioners on the part of Great Britain, unless they shall, as a preliminary thereto, either withdraw their fleets and armies, or else, in positive or express terms, acknowledge

knowledge the independence of the said States.

4. Resolved unanimously, That the Congress have no power, authority, or right, to do any act, matter, or thing whatsoever, that may have a tendency to yield up, or abridge the sovereignty and independence of this State, without its consent previously obtained.

5. Resolved unanimously, That this house will maintain, support, and defend, the sovereignty and independence of this state with their lives and fortunes.

6. Resolved unanimously, That it be recommended to the supreme executive council of this State, forthwith to order the militia to hold themselves in readiness to act as occasion may require.

And whereas there is the fullest evidence, that the same spirit of wickedness and folly which at that time governed the councils of the British nation, has excited the present rulers of that people, under most specious names and pretences, to repeat the insulting attempt. And whereas the people of a free state are entitled to the fullest and clearest information of the principles on which their representatives, in executive as well as the legislative, mean to proceed in every great concern, this council conceive it to be their duty to declare, that as they fully and unanimously approve of the said recited resolutions, so they determine to adhere strictly to them on all occasions.

And it is the unanimous opinion of this council, that any propositions which may be made by the court of Great Britain, in any manner whatsoever, tending to violate the treaty subsisting between us and our illustrious ally, ought to be treated with every mark of indignity and contempt. And at the same time, this council considering the advantages which nations derive from

amity and commerce, founded on good faith, esteem, and mutual interest; and well knowing the benefit Great Britain might derive from America, were she to adopt principles of moderation, wisdom, and justice, cannot so far suppress their desire for the general interest of mankind, and regard to the dignity of human nature, as not to feel some concern, while they see that once powerful and respectable nation, continuing to act upon principles, which, if persisted in much longer, must, by destroying all title to the esteem, faith, and confidence of these United States, render treaties of amity and commerce between us and them, absolutely and altogether impracticable.

Ordered, That the foregoing resolution be published.

Extract from the minutes.

T. MATLACK, Secretary.

*From the PENNSYLVANIA JOURNAL.*

*Philadelphia, June 1.*

*Extract of a letter from his Excellency General WASHINGTON to Congress, dated Head-Quarters, May 10, 1782.*

“ Just as I am closing these dispatches, a letter from Sir Guy Carleton is handed to me, covering sundry printed papers, a copy of which, with the papers, I have now the honour to inclose to your Excellency, together with a copy of my answer to him; and I flatter myself my conduct herein will be agreeable to the wishes of Congress.”

*Head Quarters, New-York,*

SIR, *7th May, 1782.*

Having been appointed by his Majesty to the command of the forces of the Atlantic Ocean, and joined with Admiral Digby in the commission of peace, I find it proper in this manner to apprise your Excellency of my arrival at New-York.

The occasion, Sir, seems to render this communication proper, but the circumstances of the present time render

render it also indefensible, as I find it just to transmit herewith to your Excellency certain papers, from the perusal of which your Excellency will perceive what dispositions prevail in the Government and People of England towards those of America, and what further effects are likely to follow; if the like pacific dispositions should prevail in this country, both my inclination and duty will lead me to meet them with the most zealous concurrence. In all events, Sir, it is with me to declare, that, if war must prevail, I shall endeavour to render its miseries as light to the people of this continent as the circumstances of such a condition will possibly permit.

I am much concerned to find that private and unauthorized persons have on both sides given way to those passions which ought to have received the strongest and most effectual controul, and which have begot acts of retaliation, which, without proper preventions, may have an extent equally calamitous and dishonourable to both parties, though, as it should seem, more extensively pernicious to the natives and settlers of this country.

How much soever, Sir, we may differ in other respects, upon this one point we must perfectly concur, being alike interested to preserve the name of Englishmen from reproach, and individuals from experiencing such unnecessary evil, as can have no effect upon a general decision: every proper measure that may tend to prevent these criminal excesses in individuals, I shall ever be ready to embrace; and as an advance on my part, I have, as the first act of my command, enlarged Mr. Livingston, and have written to his father on the subject of such excesses as have passed in New Jersey, desiring his concurrence in such measures as, even under the conditions of war, the common interests of humanity require.

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I am further to acquaint you, Sir, that it was my intention to have sent this day a similar letter of compliment to Congress, but am informed it is previously necessary to obtain a passport from your Excellency, which I therefore hope to receive, if you have no objection, for the passage of Mr. Morgan to Philadelphia, for the above purpose.

I have the honour to be, with great respect, your Excellency's most obedient humble servant,  
(Signed) GUY CARLETON.  
*His Excellency General Washington.*

*Head Quarters, 19th of May, 1782.*  
SIR,

I had the honour last evening to receive your Excellency's letter of the 7th, with the several papers inclosed.

Ever since the commencement of this unnatural war, my conduct has borne invariable testimony against those inhuman excesses which in too many instances have marked its various progresss.

With respect to a late transaction, to which I presume your Excellency alludes, I have already expressed my fixed resolution—a resolution formed on the most mature deliberation, and from which I shall not recede.

I have to inform your Excellency, that your request of a passport for Mr. Morgan to go to Philadelphia, will be conveyed to Congress by the earliest opportunity; and you may rest assured that I will embrace the first moment to communicate to you their determination thereon.

Many inconveniences and disorders having arisen from an improper admission of flags at various posts of the two armies, which have given rise to complaints on both sides—to prevent abuses in future, and for the convenience of communication, I have concluded to receive all flags from within your lines at the posts of Dobb's Ferry, and no where else, so long as the head quarters of the

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two armies remain as at the present.

I have the honour to be your Excellency's, &c.

G. WASHINGTON.

*His Excellency Sir Guy Carleton.*

*By the United States in Congress assembled, May 14, 1782.*

The letter of the 10th, from the Commander in Chief being read, inclosing a copy of a letter to him from Sir Guy Carleton, dated Head Quarters, New-York, May 7, 1782.

Resolved, That the Commander in Chief be, and hereby is directed to refuse the request of Sir Guy Carleton, of a passport for Mr. Morgan, to bring dispatches to Philadelphia.—Published by order of Congress.

CHARLES THOMSON, Secretary.

*Hartford, June 4.* Last Wednesday, in pursuance of the pleasure of the honourable the Congress of the United States of America, signified to his Excellency the Governor, announcing the birth of a Dauphin of France, an event that nearly concerns the happiness of his Most Christian Majesty, the great and generous ally of these United States—the State guards, consisting of infantry and artillery, assembled before the court-house, and in the presence of his Excellency the Governor and the General Assembly of this State, and a numerous concourse of the citizens thereof, a *feu de joie* was fired by the infantry, and a royal salute of 21 cannon, by the train of artillery, in honour of that happy event; after which 13 cannons were discharged in honour of the United States.

*Boston, June 3.* On Wednesday last began the first session of the General Court for this year; the votes of the electors of the Commonwealth being examined, John Hancock, Esq. was chosen Governor, and Thomas Flushing, Esq. Lieutenant-Governor, and on the day

following were qualified according to the Constitution.

*London, July 1.* This morning at half past eleven o'clock, died at his house in Grosvenor-square, the most noble Charles Watson Wentworth, Marquis of Rockingham, Earl of Malton (also Earl of Melton in Ireland) First Lord of the Treasury, Lord Lieutenant and Custos Rotulorum of the North Riding of Yorkshire, a Governor of the Charterhouse, and a Vice President of the Lock Hospital, Knight of the Most Noble Order of the Garter, and Fellow of the Royal Society.

The Marquis of Rockingham succeeded Mr. George Grenville, as first Lord of the Treasury, July 12, 1765, and was in administration till the 2d of August, 1766, when he resigned, and the Duke of Grafton was appointed, and held the place till January 28, 1770, when Lord North came into the above office, and the Marquis succeeded his Lordship on the 26th of March last.

*From the LONDON GAZETTE.*

At the Court at St. James's, the 10th of July, 1782,

Present, the King's Most Excellent Majesty in Council.

This day the Right Honourable William Pitt, Chancellor and Under Treasurer of his Majesty's Exchequer, was, by his Majesty's command, sworn of his Majesty's most honourable Privy Council, and took his place at the board accordingly.

His Majesty having been pleased to appoint the Right Honourable Thomas Townshend, to be one of his Majesty's principal Secretaries of State, he was this day, by his Majesty's command, sworn one of his Majesty's principal Secretaries of State accordingly.

*Whitehall, July 13.*

The King has been pleased to constitute and appoint the Right Honourable William Earl of Shelburne

horne of the kingdom of Ireland, Knight of the Most Noble Order of the Garter, the Right Honourable William Pitt, James Grenville, Richard Jackson, and Edward James Elliot, Esquires, to be Commissioners for executing the office of Treasurer of his Majesty's Exchequer.

The King has been pleased to grant to the Right Honourable William Pitt, the offices of Chancellor and Under Treasurer of his Majesty's Exchequer.

The King has been pleased to constitute and appoint the Right Honourable Augustus Viscount Keppel, Sir Robert Harland, Bart. Admiral Hugh Pigot, Charles Brett, Richard Hopkins, John Jefferies Pratt, and John Aubrey, Esquires, to be his Majesty's Commissioners for executing the office of Lord High Admiral of the kingdoms of Great Britain and Ireland, and of the dominions, islands, and territories thereunto respectively belonging.

The King has been pleased to constitute and appoint the Right Honourable Sir George Yonge, Bart. to be his Majesty's Secretary at War.

The King has been pleased to appoint David Parry, Esq. to be Captain General and Governor in Chief of the Island of Barbadoes, in the room of Major-General James Cuninghame.

The King has been pleased to appoint Archibald Campbell, Esq. to be Captain General and Governor in Chief of the Island of Jamaica, in the room of Major General John Dalling.

The King has been pleased to appoint John Parr, Esq. to be Captain-General and Governor in Chief of the province of Nova Scotia, in the room of Francis Legge, Esq.

The King has been pleased to grant to Domville Halstead, of Lymm, in the County Palatine of Chester, Esq. pursuant to the will of the Rev. Mr. Cudworth Poole,

late of Great Woolden, in the County Palatine of Lancaster, deceased, his royal license and authority to take and use the surname, and also bear the arms of Poole.

*From the LONDON GAZETTE.*

At the Court at St. James's, the 17th of July, 1782,  
Present, the King's Most Excellent Majesty in Council.

His Majesty having been pleased to appoint the Right Honourable Thomas Lord Grantham to be one of his Majesty's principal Secretaries of State, he was this day, by his Majesty's command, sworn one of his Majesty's Principal Secretaries of State accordingly.

His Majesty having been pleased to appoint the Right Honourable Henry Lord Paget to be Lord Lieutenant of the county of Anglesey, his Lordship this day took the oaths appointed to be taken thereupon, instead of the oaths of allegiance and supremacy.

*Whitehall, July 20.*

The King has been pleased to constitute and appoint the Right Honourable Henry Lord Paget to be Lord Lieutenant and Custos Rotulorum of the county of Anglesey, in the room of Sir Nicholas Bayly, Bart.

The King has been pleased to grant to James Smithson Taylor, of Sunderland, near the sea in the county of Durham, Esq. (pursuant to the will of his grandfather James Smithson, late of Monk Wearmouth in the said county of Durham, Esq. deceased) his royal licence and authority to take and use the surname of Smithson only; and also to order that this his Majesty's concession and declaration be registered in his college of arms.

*Dresden, June 23.* On the 21st instant her Serene Highness the Electress of Saxony was safely delivered of a Princess, who was baptized the same day by the name of

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Maria Augusta Nepomucina Antonica Francisca Xaveria Alouysia; the sponfors were the Emperor, the Empress of Russia, the King of Prussia, the Elector and Electress Palatine; and the Electress Dowager of Bavaria, Prince and Princess Anthony of Saxony, flood proxy.

*From the LONDON GAZETTE.*

*Whitehall, July 13, 1782.*

THE following Letters from John Maxwell, Esq. Governor of the Bahama Islands, were received at the office of the Right Honourable Thomas Townshend, one of his Majesty's Principal Secretaries of State, the 11th instant.

My LORD,

The large army under the command of the Governor of the Havannah, consisting of three frigates, sixty sail of transports, forty of which were topsail vessels, having two thousand five hundred troops on board, invested me the 6th instant, at day-break, and summoned me to surrender, upon honourable terms, at nine o'clock. I called my Council together, who were unanimous in their opinion, that as the strength of the country was then out in privaters, and an invalid garrison of one hundred and seventy, fit for duty, (on the ramparts only) and just arrived, they advised me to propose terms honourable.

Not satisfied it was doing justice to my character, I called the officers of the garrison present, the militia officers, and the principal inhabitants, who were unanimous in their opinion, that to make a defence a few hours would not intitle them from the Governor but to terms of discretion.

I have the honour to be, your Lordship's most obedient humble servant,

JOHN MAXWELL,

*New Providence, May 14, 1782.*

*New Providence, May 14, 1782.*

My LORD,

The Spanish troops under the command of Don Juan Manuel Cagigal were the second division going to the Cape, in order to join their first under the command of Don Galvez; but as they had no transports of their own, they wisely laid an embargo, by which means they procured a sufficient number from the Americans, who readily hired their vessels to go against Providence at their own risk. However, the Spanish General disappointed them exceedingly in including them in the Capitulation, and now compels them to proceed further, paying them as transports. Jamaica was the original object, and we might have escaped a visit, had not the winds, and the assurances given them by several of our own inhabitants, who were employed by Government in flags of truce, of the facility of reducing this place, joined to the consideration of the risk of the vessels being on the American account, induced them to make the attempt, in which they have been too successful; but I am certain they adhere to their first intention of attempting Jamaica.

Immediately on my arrival, I gave your Lordship my opinion of the inhabitants, and the strength requisite to keep the island in order. In the Council of War, consisting of the militia officers and principal inhabitants, there were thirty-three unanimously of opinion to capitulate.

Inclosed is a return of their strength, and of the number of vessels employed by them. I beg your Lordship will suspend any unfavourable opinion of my conduct, until it is properly investigated, which I have in my power to accelerate, in virtue of the last article of the capitulation, which, though I did not expect, yet as it had been granted at St. Kitt's, the General handsomely inserted it.

I have

I have the honour to be, your Lordship's most obedient humble servant,

JOHN MAXWELL.

*Right Hon. Lord George Germain,  
 &c. &c. &c. &c.*

SIR,

The considerable sea and land forces with which I find myself before this place, and the small resource that your Excellency has both for garrison and defence, induce me, for the sake of humanity, to manifest to you, that I am come by order of the King my master, and in his royal name, to take possession of this and the other Bahama islands; and finding myself in a condition of making immediate use of them for its reduction and speedy dispatch of this business, a delay that exceeds the time of twelve hours for consultation is not in my power to grant you.

I am ready to grant a capitulation that can be determined upon in this space of time; if not, the individuals that are involved in the disaster must submit to the discretion and mercy of the conquerors.

God protect your Excellency many years. Your Excellency's most attentive humble servant,

JUAN MANUEL DE CAGIGALL.

*On board of the ship the South Carolina, under sail before New Providence, one of the Bahama Islands, this 6th of May, 1782, at six o'clock in the evening.*

I do hereby certify the above a true translation from the original.

NICH. M. ALMGREEN,

Sworn interpreter.

*New Providence, May 6, 1782.*

*Bahama, Providence, May 6, 1782,  
 Four o'clock, P. M.*

SIR,

I have dispatched Captain Hunt to inform your Excellency I am attacked by two American frigates,

one large one, some row galleys, and forty sail of transports from the Havannah, with troops on board. Three British frigates would relieve me. I am, in haste,

J. MAXWELL.

*To the Right Hon. Lieutenant-General Leslie, or officer commanding Charles Town.*

*Articles of Capitulation agreed on at Nassau in New Providence, this 8th day of May, 1782, between his Excellency Don Juan MANUEL DE CAGIGAL, Captain-General and Commander in Chief over the Island of Cuba, Governor of Havannah, and Lieutenant-General of his Catholic Majesty's arms, and his Excellency JOHN MAXWELL, Esq. Captain-General, Governor and Commander in Chief of the Bahama Islands, Chancellor, Vice-Admiral and Ordinary of the same, and a Lieutenant-Colonel in his Majesty's army.*

Article I. The possession of the islands of New Providence, Eleuthera, and Harbour Island, as also of all other the Bahama Islands, together with the artillery, powder, arms, ammunition and stores, as also all the forts and posts in the same, now in possession of the troops of his Britannic Majesty, shall be delivered up to the troops of his Catholic Majesty, together with an inventory thereof. The British garrison to march out with all the honours of war, arms shouldered, drums beating, colours flying, two field-pieces, with six rounds of ammunition, and the same number of rounds to each soldier, and then deliver up their arms; and that all officers, military and civil, retain their side-arms; after which the troops shall be embarked as speedily as possible on board of vessels, sufficiently provided and victualled, at the expence of his Catholic Majesty, to be sent, without any unnecessary delay, to any port in Great Britain or



or America, in the possession of his Britannic Majesty, at the option of Governor Maxwell. The troops to be under the immediate direction of their own respective officers, and not to serve against Spain, or her allies, until an equal number of prisoners belonging to Spain, or her allies, shall be given by Great Britain in exchange, according to the established custom of equality.

Article I. Granted; and the troops are to be sent to any port in Great Britain, or in Bermuda, or to any of his Britannic Majesty's islands in the West Indies, except Jamaica; and not to serve against any of the powers at war against Great Britain, until duly exchanged.

Article II. All officers, civil and military, and other inhabitants who shall chuse to leave these islands, shall have liberty to depart with their families, negroes, and other effects of all and every kind whatsoever, and shall have 18 months allowed them to settle their affairs, and sell their effects.

Article II. Granted; and such of the inhabitants as shall chuse to reside in these islands, after the expiration of eighteen months, shall be obliged to take the oath of allegiance to his Catholic Majesty.

Article III. The inhabitants within all the islands within this Government, both secular and clergy, shall be maintained in the possession of their real and personal estates and property, of what nature soever, as well as in the enjoyments of their rights and privileges, honours, and emoluments; and the free negroes and mulattoes in their freedom, immunities and properties.

Article III. Granted in the general; provided that those privileges, rights, honours and emoluments, do not interfere with or impede their established rule of the police, and the military orders of the place.

Article IV. The inhabitants shall pay no other duty than they paid to his Britannic Majesty, without any other tax or import.

Article IV. Granted, during the war.

Article V. The ships, vessels, and droughers, belonging to the inhabitants of these islands, shall remain the property of the said inhabitants.

Article V. All ships, vessels, and droughers, and boats, that are now within the Bahama Islands, and actually the property of any of the inhabitants thereof, shall be deemed the property of the said inhabitants; and all other vessels, except neutral vessels, now within these islands, the property whereof shall be proved to be in any person or persons not inhabitants of these islands, shall belong to his Catholic Majesty, as shall also all artillery and military stores on board of any of the said vessels; and none of them shall be sold to the enemies of his Catholic Majesty.

Article VI. The inhabitants shall observe a strict neutrality, and shall not be forced to take up arms against his Britannic Majesty.

Article VI. Answered in article the second.

Article VII. The inhabitants shall enjoy a free exercise of their religion, and their ministers their curacies.

Article VII. Granted, during the war; and the ministers to be subject to the authority of the Governor.

Article VIII. A safeguard shall be appointed for all papers at the Government-house; and those shall not be liable to any inspection, but liberty shall be granted to him to embark them.

Article VIII. Granted, except plans of the islands and geographical papers.

Article IX. The sick shall be taken care of at his Catholic Majesty's expence,

expence, and sent to Charlestown when recovered.

Article IX. Granted; to be sent to Bermuda, and be treated and nourished as prisoners.

Article X. The inhabitants shall enjoy, until the peace, their laws, customs and ordinances; justice shall be administered by the same persons who are actually in office; all expences attending the administration of justice shall be defrayed by the Colony.

Article X. Granted; and it is to be understood, that the said tribunal shall be subject to the superior authority of the Governor.

Article XI. If there be any doubtful expressions in any of the foregoing articles, they are to be interpreted according to the common meaning and acceptation of the words.

Article XI. Granted.

Article XII. The Governor shall be permitted to send a flag of truce to New-York with the capitulation, quarters shall be provided for the garrison, and the women and children virtualled as formerly.

Article XII. Granted; the flag to be sent at the same time the troops sail.

JOHN MAXWELL.

JUAN M. DE CAGICAL.

Article XIII. Out of respect to Governor Maxwell's disposition for defence, and his humanity to the unfortunate prisoners, I shall not consider him as a prisoner of war longer than until he is landed with his troops at a British port.

JUAN M. DE CAGICAL.

*State of the troops on the island of New Providence, Fort Nassau, May 6, 1782.*

#### REGULARS.

Commissioned officers. 1 Governor, 1 lieutenant-governor, 1 captain, 4 lieutenants.

Staff. 1 Chaplain, 1 surgeon's mate, 1 commissary.

Royal artillery. 1 atross, M2 artificers.

Present fit for duty. 14 Serjeants, 3 drummers, 186 rank and file.

Sick. 3 Serjeants, 1 drummer, 35 rank and file.

#### MILITIA.

Commissioned officers. 1 Major, 3 captains, 5 lieutenants, 3 ensigns.

Present fit for duty. 4 Serjeants, 3 drummers, 125 rank and file.

JOHN MAXWELL.

*Edward Cooper,*

Lieut. R. G. battalion.

*Return of the enemies force against New Providence.*

#### A M E R I C A N.

Ship Carolina, — Gillon, master, 40 guns, 500 men. N. B. Mounts 28 Swedish thirty-six pounders on one deck.

Brig Queen of France, — Hun, master, 12 guns, 60 men.

Brig Dolphin, — Forbes, master, 8 guns, 40 men.

Brig Galvez, 12 guns, 40 men.

Brig May-flower, 12 guns, 40 men.

Schooner (name unknown) — Callagan, master, 10 guns, 40 men.

Schooner Hannah, — Gardner, master, 10 guns, 25 men.

Schooner Polly, — Cook, master, 4 guns, 12 men.

Brig (name unknown) — Murray, master, 12 guns, 40 men.

#### S P A N I S H.

Seventeen armed ships and pot-acres.

Ten brigs and armed galleys.

Four sloops armed.

Six schooners armed.

With several other small vessels, in all 63 sail.

About 2500 troops, regulars and militia.

Total amount of soldiers and seamen, including Americans as well as Spaniards, about 5000 men.

*Admiralty*

*Admiralty Office, July 11, 1782.*

*Extract of a letter from Vice-Admiral DRAKE, Commander in Chief of his Majesty's ships and vessels in the Downs, to Mr. STEPHENS, dated July 9, 1782.*

Having received information early this morning, from the officer at the South Foreland, that a row-boat was at an anchor close in under the foreland, which he suspected to be an enemy; I immediately gave directions to the Sandwich cutter, and some boats manned and armed, to proceed in pursuit of her; and in a few hours the Rippon's boats came up with her, and brought her into the Downs: she has two swivels, and thirteen men, and came out of Calais last night.

*Admiralty Office, July 13, 1782.*

*Copy of a letter from THOMAS SHIRLEY, Esq. Captain of his Majesty's ship Leander, to Mr. STEPHENS, dated off James Fort, Accra, April 25, 1782.*

SIR,

As the Ulysses transport is very short of provisions, and having no further occasion for her, I have ordered her to England; and although she is a very bad failer, yet, as the race is not always to the swift, there is a possibility of her arriving before my dispatches; you will please to acquaint their Lordship's, that I have taken and destroyed, with his Majesty's ship under my command, and the Alligator sloop, (without the assistance of a man belonging to the two independent companies) as per margin\*. I have sent the above-mentioned sloop with my dispatches.

I have appointed the Mackarel transport, a cartel, to convey the Dutch Governors, &c. to Europe, and have sent in her Mr. Van Court, my first lieutenant, who carries duplicates. I am, &c.

THOMAS SHIRLEY.

\* Destroyed: L'Officieuse, a French store-ship, off Senegal, computed worth 30,000l.

Taken: Forts, Mouree, 20 guns; Cormantyne, 32 guns; Apam, 22 guns; Berricoe, 18 guns; Accra, 32 guns.

N. B. By a letter from Captain Frodsham, commander of the above-mentioned sloop, to Mr. Stephens, dated at Breff the 1st instant, it appears, that he was taken on the 26th of last month, by the French King's frigate La Fée, of 36 guns, and carried into that port; and that the dispatches, with which he was charged by Captain Shirley, were thrown over-board, and sunk.

*Admiralty Office, July 13, 1782.*

*Extract of a letter from EDWARD PELLEW, Esq. commanding his Majesty's ship the Artois, to Mr. STEPHENS, dated Cove of Cork, July 1, 1782.*

On Sunday, June 30, running down the coast on my way to Dublin, at noon, the Old Head N. by E. distant 14 leagues, saw a cruiser in the south-east quarter, to which I instantly gave chase: At five, she hoisted French colours, and, after firing a few stern chaces, finding we were nearly almost along-side, she struck, and proved to be the Prince de Robecq, mounting 22 twelve and nine pounders, fitted by the Admiral of Dunkirk, and commanded by a lieutenant de Frigate, Mons. Pierre Vanstable, with 173 men, had been twelve days from Dunkirk, but taken nothing. She is almost new, and the most complete privateer I ever saw.

*From the LONDON GAZETTE.*

*Admiralty-Office, July 16.*

*Extract of a letter from Vice-admiral DRAKE, Commander in Chief of his Majesty's ships and vessels in the Downs, to Mr. STEPHENS, dated July 14, 1782.*

The Kite sloop arrived this morning from the Texel, and brought in with her Le Pantaque, a French pri-

vateer cutter belonging to Dunkirk, of 12 guns, with 30 men on board.

*Admiralty-Office, July 16, 1782.*

*Extract of a letter from Captain DY-SON, Commander of his Majesty's sloop Helena, to Mr. STEPHENS, dated Leveshoffs Road, July 14, 1782.*

Please to acquaint their Lordships, that yesterday, being in Yarmouth Roads, I received information from the Mayor of Yarmouth, that there had been seen a lugger off Dunwich at five o'clock the same morning: weighed and stood to the north-westward through the Cockle, wind being southwardly, thinking she might be gone that way. At day-light, not seeing any thing off Cromer, proceeded with the tide to the southward, and found the said lugger chased into these Roads; at noon took possession of her: she is called L'Escroe privateer, about 30 tons burthen, from Dunkirk; left that place a week ago, has taken one vessel from London to Gainsborough, which is since said to be retaken. The master and three boys have put ashore at Yarmouth, with twenty-one prisoners, being the equipage of the said privateer.

*St. James's, July 16.*

The King has been graciously pleased to permit Thomas Earl of Clarendon to accept the honour of bearing the Prussian Eagle as a mantle to his arms; an honour conferred on his Lordship by his Prussian Majesty, in testimony of his remembrance and esteem.

*From the LONDON GAZETTE.*

*Whitehall, July 27.*

The King has been pleased to grant to the Right Honourable Isaac Barre the office of Receiver and Paymaster-general of his Majesty's guards, garrisons, and land-forces.

The King has been pleased to grant to the Right Honourable Henry Dundas the office of Treasurer of his Majesty's navy.

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*Whitehall, July 27.*

Intelligence has been received at the Right Honourable Mr. Secretary Townshend's Office, that General Medows, with the troops under his command, and that part of the fleet lately commanded by Commodore Johnstone, which was destined for India, arrived at Bombay the 6th of January: that a cessation of hostilities had taken place between the East-India Company's troops and the Marattas, in consequence of which the Governor and Council detached two battalions of sepoys to the relief of Tellicherry, which had for a long time been besieged by Hyder Ally's forces: that, with the aid of this reinforcement, Major Abingdon had made a sally from the fort, in which he completely routed the enemy, killed about 500 men, and took 1200 prisoners, among whom was their leader, Serdar Cawn, a brother-in-law of Hyder Ally, with 50 pieces of cannon, 60 elephants, many horses, a large quantity of ammunition and grain, and treasure to the amount of three lacks of rupees.

*Admiralty-Office, July 26, 1782.*

*Extract of a letter from Captain THOMAS BISHOP to Mr. STEPHENS, dated Weymouth, July 24, 1782.*

Be pleased to acquaint my Lords Commissioners of the Admiralty, that on the 23d instant, about two P. M. I was informed that a small sloop privateer had taken a sloop near the Beach to the westward of the Isle of Portland, (and at this time being in a poor state of health) I directly ordered the Speedwell revenue cutter, (then in Weymouth Road) to proceed round the island, and endeavour to retake the said sloop, which she performed about ten that evening, and about eleven A. M. the next day took the said privateer between Topsnam and the Berry-head: she is called the Serpent, Jonathan Arnold, commander, manned with fifteen men, and armed with muskets and small arms only; was

was fitted at Dunkirk, had been from thence about fourteen days, and two from Cherbourg: had taken nothing before: she has a French commission, the commander an American, as are most of the men.

*Admiralty-Office, July 27, 1782.*

*Extract of a letter from Vice-admiral Lord SHULDHAM, Commander in Chief of his Majesty's ships and vessels at PLYMOUTH, to Mr. STEPHENS, dated July 23, 1782.*

His Majesty's ships Crown and Panther have this day sent in here two prizes, one a cutter belonging to the French King, called the Pigmy, (late his Majesty's cutter) of fourteen guns and ninety-two men; and the other a ship called L'Hermione, laden with provisions and live stock, and having one hundred and twenty landmen on board, for the service of the combined fleets.

*Admiralty-Office, July 27, 1782.*

*Winchelsea, off Whitby,*

SIR, July 21, 1782.

I beg you will please to acquaint my Lords Commissioners of the Admiralty, that on the 20th instant, Flamborough Head bearing S. 17 W. distance 17 leagues, his Majesty's ship Winchelsea, under my command, captured, after a chase of twenty-four hours, most part of which time the ship was rowed, the French privateer brig Royal, Jacques Perre, master, carrying five twelve-pounders and fifty-four men, had been out nine days from Dunkirk, but taken nothing. I remain, Sir,

Your most obedient humble servant,

JOHN BORLASE WARREN.

*Philip Stephens, Esq.*

*Admiralty-Office, July 27, 1782.*

*Extract of a letter from Vice-admiral DRAKE, Commander in Chief of his Majesty's ships and vessels in the Downs, to Mr. STEPHENS, dated July 25, 1782.*

The Scourge sent into the Downs this morning La Bonne Intention, a French row-boat, with ten men, which he took yesterday afternoon;

she had been two days from Dunkirk.

*From the LONDON GAZETTE.*

*Whitehall, July 30.*

The King has been pleased to order Letters Patent to be passed under the Great Seal of Ireland, for the translation of the Right Reverend Father in God Dr. Joseph Dean Bourke, Bishop of Leighlin and Ferns, to the archbishoprick of Tuam, with the united bishoprick of Enaghoden; and also for granting unto him the bishoprick of Ardagh, in the said kingdom, in Comendam, the same being respectively vacant by the death of the most Reverend Father in God Dr. Jemmet Browne, late Archbishop of Tuam.

The King has also been pleased to order like Letters Patent for the translation of the Right Reverend Father in God Dr. Walter Cope, Bishop of Clonfert and Kilmacduagh, to the united bishopricks of Leighlin and Ferns, void by the translation of the Right Reverend Father in God Dr. Joseph Dean Bourke, late bishop thereof, to the archbishoprick of Tuam.

And like Letters Patent for the promotion of the Reverend John Law, D. D. to the united bishopricks of Clonfert and Kilmacduagh, void by the translation of the Right Reverend Father in God Dr. Walter Cope, late bishop thereof, to the united bishopricks of Leighlin and Ferns.

The King has been pleased to present the Reverend Copleston Radcliffe, M. A. to the Rectory of Stoke Clymesland, in the county of Cornwall, void by the death of the Reverend Mr. Willoughby Stainsbury.

*Admiralty-Office, July 30.*

Letters were this day received at this office from Vice-admiral Sir Peter Parker, giving an account of his arrival yesterday at Spithead, in his Majesty's ship the Sandwich, having on the 20th instant detached a frigate

gate with such of the trade as came under his convoy from Jamaica, as were bound into the Bristol and St. George's Channels, and sent the remainder to the Downs, under convoy of two ships of the line.

*Admiralty-Office, July 30, 1782.*

*Extract of a letter from Capt. JACOB WALLER, Commander of his Majesty's ship Racehorse, to Mr. STEPHENS, dated July 28, 1782.*

On the 26th instant, at eight o'clock in the morning, the high land of Arundel N. E. by N. about five leagues, we saw a schooner steering in for the land; chased and came up with her, Dunnofe Point East four leagues, about four o'clock in the afternoon; she proved to be a French privateer, named *Le Vipere*, of 10 guns (four pounders) and 37 men, commanded by Michael Ladri Vincent Menage, eight days from Dunkirk, but had taken nothing since she failed from thence.

*Admiralty-Office, July 30, 1782.*

*Extract of a letter from Vice admiral DRAKE, Commander in Chief of his Majesty's ships and vessels in the Downs, to Mr. STEPHENS, dated July 27, 1782.*

The *Winchelsea* arrived this morning with *Le Capria*, a lug sail privateer belonging to Dunkirk, of 2 six-pounders, 14 four-pounders, and 43 men.

The acts of unauthorized retaliation, which are referred to by Sir Guy Carleton, in his letter to General Washington, (see page 144) and upon which that General has formed, as he says, his resolution, and from which he will not recede, are as follow:—A party of Loyalists having gone down to Tom's River, three or four of whom were taken and put to death, as we have been informed, without any process or ceremony; upon the return of the remainder of the Refugees party, they took a one Captain Huddy out of their jail (for the Refugees have a jail particularly

appropriated to themselves for the confinement of such prisoners as they may take) and hanged him! In consequence whereof the following letter was sent by his Excellency General Washington to Sir Henry Clinton, on the subject of the execution of Capt. Huddy:

*Head Quarters, April 21, 1782.*

SIR,

The inclosed representation, from the inhabitants of the county of Monmouth, with testimonials to the fact (which can be corroborated by other unquestionable evidence) will bring before your Excellency the most wanton, cruel, and unprecedented murder that ever disgraced the arms of a civilized people. I shall not, because I conceive it altogether unnecessary, trouble your Excellency with any animadversions on this transaction. Candour obliges me to be explicit—to save the innocent I demand the guilty.

Captain Lippencot therefore, or the officer who commanded at the execution of Captain Huddy, must be given up; or, if that officer was of inferior rank to him, so many of the perpetrators as will, according to the tariff of exchange, be an equivalent. To do this will mark the justice of your Excellency's character. In failure of it, I shall hold myself justified, in the eyes of God and man, for the measure to which I shall resort.

I beg your Excellency to be persuaded, that it cannot be more disagreeable to you to be addressed in this language, than it is to me to offer it; but the subject requires frankness and decision.

I have to request your speedy determination, as my resolution is suspended but for your answer.

I have the honour to be, Sir,

Your Excellency's

Most obedient and most

Humble servant,

(Signed) GEORGE WASHINGTON,  
Sir Henry Clinton,

X. 2

Sir

Sir Henry Clinton ordered a Court-Martial upon Captain Lippencot, in consequence of this application; but such was the situation of affairs, and such the temper of the Refugees, that the Captain has not been given up to General Washington, but the following letter from General Sir Henry Clinton was sent in answer to the above letter from General Washington:

SIR, *New-York, Apr. 25, 1782.*

Your letter of the 21<sup>st</sup> instant, with the enclosed testimonials respecting Captain Huddy's execution, was delivered to me yesterday; though I am extremely concerned for the cause, I cannot conceal my surprise and displeasure at the very improper language you have made use of, which you could not but be sensible was totally unnecessary.

The mildness of the British Government does not admit of acts of cruelty or persecuting violence, and as they are notoriously contrary to the tenor of my own conduct and disposition (having never yet stained my hands with innocent blood) I must claim the justice of having it believed, that, if such have been committed by any person under my command, they could not have been warranted by my authority, nor can they ever have the sanction of my approbation. My personal feelings, therefore, required no such incitements to urge me to take every proper notice of the barbarous outrage against humanity (which you have represented to me) the moment it came to my knowledge; and accordingly, when I heard of Captain Huddy's death (which was only four days before I received your letter) I instantly ordered a strict enquiry to be made in all its circumstances, and shall bring the perpetrators of it to an immediate trial.

To sacrifice innocence under the notion of preventing guilt, in place

of suppressing, would be adopting barbarity, and raising it to the greatest height. Whereas, if the violators of the laws of war are punished by the Generals under whose power they act, the horrors, which those laws were formed to prevent, will be avoided, and every degree of humanity, war is capable of, maintained.

Could violations of humanity be justified by example, many from the parts where your power prevails, that exceed, and probably gave rise to this in question, could be produced. In hopes that the mode I mean to pursue will be adopted by you, and prevent all future enormities.

I remain, Sir, &c.

(Signed)

H. CLINTON.

*His Excellency Gen. Washington.*

*New-York, May 1, 1782.*

SIR,

A commission from the King, appointing me Commander in Chief of his forces in this country, having arrived by a late conveyance, I make it one of my first cares to convince you of my wish to carry on the war agreeable to the rules which humanity formed, and the examples of the politest nations recommended. I make this declaration of my resolution, in hope that I may find a similar inclination in you.

To effect this, let us agree to prevent or punish every breach of the rules of war within the spheres of our command.

The papers accompanying this will shew that many acts of barbarity have been committed. Some of them you may not have heard of; of some, I hear with satisfaction, you have declared your abhorrence. These have been put into my hands as indications of a late enormity complained of by you.

I can by no means admit the inference: nothing but the utmost necessity can justify retaliation; and if this

this cruel, dangerous measure was to be entrusted in the hands of incensed men, universal horror and barbarity would ensue.

A court-martial is appointed to try the person you complain of, and all his abettors in the death of Huddy, by Sir Henry Clinton, who had taken measures for this before he received any letter from you on the subject.

These papers will afford you opportunities in like manner of vindicating the rights of humanity, and of punishing the insult offered to your command by perpetrators of these cruelties.

I find that Mr. Hetfield and Mr. Badgeley, though under the protection of a flag of truce, have been taken prisoners at Elizabeth-Town, where they were, by the direction of your Commissary of Prisoners, on unjustifiable pretences.

As the first proof that you accept the proposal I make to join you in preventing every infraction of the rules of war, I desire you will be pleased to order these men to be sent back to Staten Island. Every request of yours to me, founded on this principle, will most readily be complied with.

I have the honour to be, &c. &c.

(Signed) JAMES ROBERTSON.

*His Excellency General Washington.*

*Head Quarters, May 5, 1782.*

SIR,

I had the honour to receive your letter of the 1st instant.

Your Excellency is acquainted with the determination expressed in my letter of the 21st of April to Sir Henry Clinton. I have now to inform you, that so far from receding from that resolution, orders are given to designate a British officer for retaliation. The time and place are fixed. But I still hope the result of your court-martial will prevent this dreadful alternative.

Sincerely lamenting the cruel necessity, which alone can induce to distressing a measure, in the present instance, I do assure your Excellency, I am as desirous as you can be, that the war may be carried on agreeable to the rules which humanity formed, and the example of the politest nations recommends, and shall be extremely happy in agreeing with you to prevent or punish every breach of the rules of war within the spheres of our respective commands.

I am unacquainted with the circumstances of the detention of Badgely and Hetfield; the matter shall be examined into, and justice done; but I must inform you, that, in my opinion, deserters, or characters who for the crimes they have committed are amenable to the civil powers, cannot, on either side, be protected under the sanction of a flag. I do not pretend to say the abovementioned persons are in that predicament.

Recrimination would be useless; I forbear therefore to mention numerous instances which have stained the reputation of your arms, marked the progress of this war with unusual severity, and disgraced the honor of human nature itself.

While I wave this ungrateful discussion, I repeat the assertion, that it is my most ardent desire, not only to soften the inevitable calamities of war, but even to introduce, on every occasion, as great a share of tenderness and humanity as can possibly be exercised in a state of hostility.

I have the honour to be, &c. &c.

(Signed) GEORGE WASHINGTON,  
*His Excellency General Robertson.*

*A letter from the BOARD of LOYALISTS to Sir HENRY CLINTON, &c.*

*New York, April 27, 1782.*

SIR,

"In answer to the letter I had the honor to receive from your Excellency yesterday afternoon, I am  
desired



desired by the Board to inform you, that three prisoners delivered to Captain Lippencot on the 8th instant, were not exchanged according to the intention of the Board, but that they were nevertheless disposed of in a manner which the Board was clearly of opinion was highly justifiable from the general principles of necessity, and the peculiar nature and circumstances of the case; a particular detail of which, from the shortness of the time allowed by your Excellency, we cannot enter into at present. Randolph and Fleming were both exchanged for Captain Tilton. Captain Lippencot, on his first return from Sandy Hook, made report, in writing, of the capture of an eighteen-oar barge; a copy of which report is inclosed, and mentioned verbally to one or two members who happened to be at the Board room before a full Board had met, that Huddy was exchanged (laying an emphasis on the word) for Philip White; and that when he came away from the Hook, Randolph was allowed to go to Froehold on his parole, in order to propose his exchange for Capt. Tilton, and Fleming for Aaron White; or if that could not be obtained, to offer both Randolph and Fleming for Capt. Tilton alone.

As Capt. Lippencot immediately after went back again to Sandy Hook to complete this business of exchange, the Board had not an opportunity of enquiring into the particulars of his transactions till after his second return, which was near about the time of their receiving your Excellency's letter of the 20th, respecting the complaint made by the American Commissioners at Elizabeth Town. They then directed their report to be made, in writing, which was done, and taken, but not completed, for the reasons set forth in our letter of the 25th.

" With regard to the circumstances concerning the reported death of Joshua Huddy, the Board know nothing, except what is contained in a letter which we understand was intended to have been made part of a report on this subject. The Board cannot pretend to say what additions or alterations the persons concerned might have thought proper to have made therein, had they not been prevented from finishing it, by the sudden seizure and confinement of Captain Lippencot: but as we think the reasons and state of facts it contains are so artless, candid, and just, as cannot fail of removing all prejudices against the conduct of that party of loyalists, we shall take the liberty, though we have not their consent for it, to lay a copy of that paper, imperfect as it is, before your Excellency, for your satisfaction on this head of enquiry.

" As the Board have not been honoured with any official communications, that can enable them to account for the extraordinary treatment which one of their officers has received; and as they are unwilling to believe public rumour, which charges its origin to the mere suggestions and threats of an American General, they are utterly at a loss how to conduct themselves on this important occasion. They scarcely can persuade themselves that it is possible that men, who have sacrificed their all, and repeatedly risked their lives to manifest their attachment to the King's government, shall be treated as if they themselves were rebels. They have been often solemnly promised protection and support, to encourage them in their exertions; yet, when they have fallen into the hands of the enemy, nothing has been attempted by that government (as they know of) to save them from ignominious punishment, or to prevent others experiencing the like unhappy fate;

fate; the consequence of which is, that many hundreds of loyal British subjects have been murdered in cool blood, sometimes with, but often without even the mockery of law.

"When such horrid deeds are suffered to pass with impunity, and even without one spirited effort to check their progress, can it be wondered at if individuals shall think themselves justifiable in having recourse to whatever measures they may judge most likely to save them from the threatened destruction. We may reason, or we may censure, as we please; but men, so peculiarly circumstanced, will act from their feelings; nay, would be wanting in duty to themselves, were they to act otherwise.

"No persons can, however, be more averse than the Board to the encouraging or permitting retaliation in the individuals of a community; but when the power of that community cannot, or is not exerted in their behalf, the laws of Nature and self-preservation will, from the necessity of the case, justify the measure. As matters have been circumstanced for some time past, no other expedient can possibly answer the purpose, and that this will prove sufficiently efficacious, we have the experience of three several instances. Colonel De Lancy, of West Chester, caused one of his prisoners to be hung up, to retaliate for the hanging of one of his refugees by the Americans, which immediately occasioned a stop to be put to their treating his people in any other light than as prisoners of war, though they frequently before affected to consider them as thieves, robbers, or prisoners of State, as best suited their malignant designs. Captain Cornelius Watford, of the Refugee Militia volunteers, and his associates, likewise had a prisoner hung in the same manner, and it was attended with the desired effect. Nor have we

heard that either of those gentlemen were ever called to an account, or so much as censured for their conduct in this respect. The associated loyalists at Lloyd's Neck, by confining some of their principal prisoners in the Provost, and threatening to make them, by way of retaliation, dig a mine similar to that of Simsbury, in which unfortunate Loyalists are buried alive, and confine them in the same cruel manner, have secured a proper treatment in Connecticut of associates on the footing of prisoners of war. The late instance of Huddy is the first in which any of the Loyalists under the Board have gone the full length of retaliation, and when it is considered how long they have borne with the manifold cruelties of the Americans, and how many of their fellow associators have been barbarously murdered, after they had surrendered as prisoners of war, the wonder is how they have been prevailed upon to withhold their resentment so long. They have tried in vain to soften their enemies by returning good for evil, and have uniformly treated their prisoners well, often indulging them with paroles to visit their homes, although many of them had refused to return when summoned, and the Loyalists were at the same time generally confined in dungeons and in irons. We ardently wish, however, that a stop might be put to the practice of retaliation, but we know not how it can be done while the American leaders presume that they may safely discriminate in their treatment of prisoners between the King's regular forces and his loyal American subjects; but if, added to this, countenance shall be given to such discrimination as (to mention no other instances) has been done in a late capitulation, the consequences must inevitably be, that they will either quit the country, or join the Americans. Their patience under their sufferings has been such as

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can hardly be paralleled in history. Many of them are now suffering in different American gaols, who cannot procure an exchange, though they have assisted in taking prisoners which have been appropriated to the exchange of some hundreds of officers and privates of the British army.

"Your Excellency will please to excuse the freedom of these observations. They are not intended to give you any offence. But it would ill become us to be silent when we find that one of our officers is not only seized without the least intimation to us of any such intention, but when, from the mysterious conduct which has been observed on the occasion, an universal alarm has been spread among the Loyalists within the lines, and is likely to be productive of more pernicious consequences among those without.

"Aaron White, who was taken with Philip White, has made his escape from Freehold gaol, and is just arrived. By the inclosed deposition, your Excellency will be enabled to judge, whether the execution of Huddy was not as just as it was necessary.

"We shall observe your Excellency's directions concerning the future exchange of prisoners, and have sent you our commissary's return of those now in his custody.

"I have the honor to be, on behalf of the Board, Sir, your Excellency's most obedient humble servant,

(Signed)

WILLIAM FRANKLIN, President.

P. S. We beg leave to communicate to your Excellency, in addition to White's affidavit, copies of two depositions respecting the murder of a Loyalist, by the orders of Lord Stirling, an American General. Also a copy of a representation made to Major General Patterson, when commandant of this city in behalf of a number of Loyalists, taken from

Long Island, and confined in the gaols of Connecticut. Several of whom were then under sentence of death. Many hundred instances of a similar nature might be collected, were there sufficient time for it, and the Loyalists called upon for the purpose.

His Excellency Sir Henry Clinton,  
Knight of the Bath, &c. &c.

New York, June 4.

To his Excellency GUY CARLTON,  
Knight of the Most Hon. Order of  
the Bath, General and Commander  
in Chief of all his Majesty's forces  
in North America, &c. &c. &c.  
*The humble Address of the Royal Refugees of the Province of New-York.*

Our dispersed situation prevented our congratulating your Excellency immediately on your arrival, and paying you that tribute of applause which your benevolence and humanity to the Refugees, and other loyal subjects in Canada so justly merits.

The appointment of a gentleman of your Excellency's distinguished abilities to the supreme command of his Majesty's forces in North America, at this important conjuncture, affords universal satisfaction; and we flatter ourselves, that the same cool, determined, and dignified conduct, which gave so much lustre to your Administration in Canada, will ere long, unite America with the parent State, on principles truly honourable and beneficial to both; and that Great-Britain will ultimately frustrate the insidious designs and humble the pride of her natural enemies.

Many of the King's friends, in this province, have suffered ignominious deaths, for their uniform attachments to Government; many have been persecuted, imprisoned, and banished from their estates and families, whilst others of us, after being treated with unparalleled cruelty and oppression, were stripped of our property, and obliged to seek an asylum here and in

in Canada. Thousands are now in actual service, and numbers have perished nobly in defence of their King and the Constitution.

But notwithstanding all we have suffered, of which we cannot but have reason to complain, we are sincerely disposed, if a happy reconciliation can be effected, cheerfully to concur in so desirable an object, fully relying on the justice, wisdom, and clemency of our Sovereign, and the purity of your Excellency's intentions, that every proper regard will be paid to the safety of our persons and property, as well as those of all his Majesty's loyal subjects: but if the same destructive system of independence should still be blindly adhered to, and such equitable offers as your Excellency may be authorized to tender, be finally rejected, we will as readily hazard our lives, as we have sacrificed our fortunes, to assist in bringing the Colonies to a reunion with the Mother Country.

Signed and presented by a number of gentlemen from each county, in behalf of themselves and the other Refugees of this province, now residing within the British lines.] To which his Excellency was pleased to return the following answer:

May 30, 1782.  
GENTLEMEN.

I am highly obliged, by the good opinion you are pleased to entertain of me. My attention towards the Refugees has been such as my duty required, and which their sufferings and services have so eminently deserved. I have always endeavoured to regulate my public conduct by the principles of general benevolence, as well as by those of my particular duty to my Sovereign and my country. I lament, gentlemen, the distractions and calamities of the British Empire, and I am very sure that all the above principles concur in drawing from me the warmest wishes, that peace and union may be restored

on such generous and liberal terms, as may insure greatness and Victory to the whole, as well as happiness and freedom to all its parts.

GUY CHAMBERLAIN.

Extract of a letter from Edinburgh, July 4.

This day came on a Holyrood-house, in consequence of his Majesty's proclamation, the election of a Peer (as one of the sixteen representatives of Scottish Nobility) in the room of the late Earl of Loudoun—the candidates were the Barls of Buchan and Lauderdale. The latter was chosen by a majority of two, the numbers being 13 to 11.

The following is a state of the votes: S. L. means signed list.

\* Present.—† One of the Sixteen!

1 Buchan, *	11 Lauderdale, *
2 Dumfries, *	12 Glencross, †
3 Salton, *	13 Kelly, *
4 Blantyre, *	14 Dalhousie, †
5 Ballanden, *	15 Aberdeen, *
6 Gordon, S. L. †	16 Hyndford, *
7 Loudoun, S. L.	17 Hopetoun, *
8 Marchmont, S. L.	18 Somerville, *
9 Torpichen, S. L.	19 Kinnaird, *
10 Napier, S. L.	20 Cassilis, † proxy
11 Elibank, S. L.	21 Forbes, proxy
	22 Arrol, S. L. †
	23 Rollos, S. L.

After the different necessary ceremonies, and before the clerk began to call upon their Lordships for their votes, Lord Kinnaird rose and addressed their Lordships as follows:

MY LORDS,

Before the clerk shall call upon your Lordships to nominate one of your body to fill up the present vacancy in our representation, may I be permitted to say a few words immediately relating to the business for which we are assembled: My Lords, I am well aware of the precise limits to which we are confined by the act the sixth Q. Ann; and I shall the more carefully and the more sedulously endeavour to keep within the prescribed limits; as I have been informed, that there are some even of our own order,

order who wish to explain this act so rigorously, as to confine your Lordships to the mere articulation of names. Having never had the honor of attending this meeting, except when I conceived myself called upon to lend my feeble aid to eradicate that unfortunate prejudice, which hath pervaded all ranks of men from one end of the island to the other, that we have been for a long series of years uniformly guided by the secret or avowed dictates of the first Minister for the time being; your Lordships will therefore, I trust, the more readily forgive my taking the liberty of intreating an explanation of a circumstance, which, in my humble opinion, ought very materially to affect the determination of the present contest.—A report, my Lords, has gone forth, that a noble Earl, one of the candidates for your favour this day, has received from the late Marquis of Rockingham, then First Lord of the Treasury, an ostensible letter, expressive of his desire to promote his Lordship's interest upon the present occasion. Nay, more, it has been said that the noble Earl has actually shown this letter. Now, my Lords, though it is impossible for me to give any degree of credit to this report, after having heard every species of ministerial interference in matters of election so publicly and so explicitly arraigned and condemned by those ministers, whom his Majesty had just then called to his councils, and though I have much too high an opinion of the noble Earl's sagacity, as well as of his regard for the dignity of the Scottish Peerage, to believe that he would have exposed such a letter, if he had actually received one; yet, as such a report has been universally credited, nay, more, as there has been, in some measure, a public accusation of ministerial interference in the present contest, I do most humbly conceive it to be highly essential to his Lordship's dig-

nity, as well as to the dignity of those Peers who may wish to support him on this occasion, that such a report, and such an accusation, should not pass uncontradicted. As I can entertain no doubt of their being founded in error, I trust I shall receive the thanks of the noble Earl, for giving him this public opportunity of refuting them; and by so doing, I may venture to affirm, that he will, if he shall succeed, add a solid and permanent dignity to the situation he is desirous of obtaining. But, if the noble Earl should not chuse to give any explanation of this business, whatever effect it may have upon the rest of your Lordships, it will give me infinite regret; as such a silence, or rather acquiescence in the truth of the report, will absolutely preclude me from giving him the support which my opinion of his Lordship's independent situation, and the high sense of friendship I entertain for his son, had determined me to do. For it is, my Lords, impossible for me to permit any private consideration whatever to overpower the earnest desire I have to rescue the Scottish Peerage from the obloquy with which it is at present branded, relative to matters of election. I have nothing further to trouble your Lordships with, except to ask pardon for having taken up so much of your time, to offer my thanks for having bestowed upon me so much of your attention, and to assure you, that, to merit and to obtain the approbation of my fellow Peers, is the first object of my ambition.

In answer to Lord Kinnaird, Lord Lauderdale declared upon his honor, that he never received such a letter as had been alluded to, and he called upon any noble Lord present to declare, if ever he had shewn them such. It is true, continued his Lordship, I have corresponded with his Majesty's ministers since I was  
twenty

twenty years of age, and if God shall please to prolong my life, I hope to do it forty years longer. I have corresponded with the Marquis of Rockingham, and I have done the same with Lord North, though I never saw him; but why should that preclude my pretensions to your Lordship's favour this day?

The Earl of Hopetoun succeeded Lord Lauderdale, and delivered his sentiments in a very elegant manner. It is impossible for us to do justice to his speech, and we can only attempt a very imperfect outline. He began with observing, that their Lordships appeared that day as the poor remains of a once beautiful structure. That he never could reflect on the event which deprived them of their hereditary rights to seats in the Grand Council of the nation, without feeling the humiliating degradation of the Peers of this country. It is the first time, said his Lordship, that I have appeared here in my new situation, and if I should deviate a little from the primary object of our present meeting, in what I have further to add, I shall hope for the indulgence of my fellow Peers. My Lords, it should be remembered, that the Union was first proposed on the part of England—Proposed did I say?—it was asked, it was urged, it was petitioned for by England.—That the commerce of this country may have profited by the treaty, I will not pretend to determine, but sure I am, our order has dwindled almost to insignificance. What did not Scotland forfeit by the connection? To say no more, she relinquished her Sovereignty, which has always been held of consequence among the nations. Her imperial diadem is, alas! no more. But while I lament our degenerated state, I mean not to inflame. The law has now marked our path—let us tread in it with honour. Our sister kingdom, indeed, has, with arms in

her hands, compelled the legislature to do her justice. I rejoice at her success. She has nobly, on her part, obtained what she had a title to enjoy. But in what manner? Not by a voluntary act of the British Senate; but, I repeat it again, by the power of the sword, wielded in her right hand. My Lords, as to the present contest between the two noble candidates for your favour, I think the Earl of Lauderdale highly indebted to Lord Kinnaid for the motion he made, as it has afforded his Lordship an opportunity of vindicating himself in the most unequivocal terms. My personal attachment, and the long and intimate intercourse between our families, have determined me to vote for his Lordship on this occasion, independent on any other consideration; but if Lord Kinnaid is not satisfied with the answer given by the Earl of Lauderdale, I would recommend to him to decline giving any vote this day.

The Earl of Hyndford said, that he could not content himself with giving a silent vote for the Earl of Lauderdale on the present occasion. He was surprised to hear of the old affair of ministerial mandates being renewed. That he had considered the interference of the servants of the Crown in elections as a doctrine dead and buried, ever since a noble Duke had, upon a memorable occasion, and upon receiving a letter from above, declared that he looked upon it as a personal insult; and that, should such another letter ever be sent to him, if he could guess at the contents, he would throw it into the fire unopened. His Lordship concluded with declaring, that he voted for the Earl of Lauderdale from private friendship, and from an opinion of the independence of his situation.

Lord Kinnaid said, My Lords, I must again entreat permission to trouble your Lordships for a few moments.

moments. I do most sincerely thank the noble Earl for having so explicitly refuted the reports of ministerial interference upon this occasion, as he has, by so doing, enabled me to pay that tribute to a friendship which I am proud to boast of. I am happy that my having brought forward this affair, meets with a noble Earl's approbation (Hopedoun.) After so unqualified an explanation on the part of the noble Candidate, it is impossible for me not to be satisfied. With respect to what dropped from the noble Earl who spoke a few moments ago, I must take the liberty of saying, that, if the noble Duke he alludes to had not deserted that firm band of Peers with whom he was associated, he would indeed have buried ministerial interference; but, by adopting a mode of his own, of shewing his resentment, he did not destroy, he only changed the mode of the insult; and of this I will give the noble Earl an example to-day, (from having resided at so great a distance from the capital, he may not have heard of these things.) I had the honour of accompanying some of my fellow Peers to the house of the late Earl of Suffolk, in order to receive his apologies for having offered such an insult to our order, by issuing his public mandate; and the moment after he had made the apology, he had the assurance to recommend to us a Peer to fill up the then vacancy in our representation. Such an aggravation of the former insult needs no comment. I ask pardon for speaking with so much warmth; but it was an affair which at the time, made a deep impression, and which I do not now know how to think of with proper temper. It is with the most heartfelt satisfaction I now congratulate your Lordships upon the total absence of all ministerial interference upon the present occasion, and I do flatter myself you will never

again suffer it to make its appearance amongst you.

The Earl of Dalhousie, in a spirited speech, reprobated the idea that any noble Lord corresponding with the Minister should disqualify him from being sent as a representative of Scottish Peerage. If such was liberty, he hoped he should never enjoy it. There is—there can be no greater friend to freedom of election, continued his Lordship, than myself; and, if it was necessary, I would become bound to be the first to rescue it from the thralldom of ministerial influence. I vote for Lord Lauderdale, from the high opinion I entertain of his Lordship, and because I received his support on a similar occasion.

The following, as nearly as we can recollect, was the import of Lord Buchan's speech:

"I have, for these fourteen years, stood forth the champion of the Peerage, and I know that my name will be transmitted to posterity with honour for so doing. The noble Lord has denied the ever shewing such a letter to any of the Peerage; but it is well known that his doers and agents have boasted of it in public; while I have received no kind of ministerial assistance whatsoever. The letter I speak of was delivered by a King's messenger."

To this Lord Lauderdale replied, "The noble Lord is surely in the clouds. You create a letter in your fancy, and then reason upon it. I never did receive such a letter, and therefore it is impossible I could shew it. I can well believe your Lordship never has received any ministerial assistance, for I believe no Minister on earth would chuse to promote your interest."

The Earl of Buchan spoke several times. The substance of what fell from his Lordship is fully contained in the following address:

To the PEERS of SCOTLAND.

MY LORDS,

As I have publicly declared at Holyrood-house, on the occasion of the late election, that I consider myself no longer politically connected with the Peerage of Scotland—that I never will again enter the walls of that House as a Peer of Scotland, or accept of a seat in the House of Lords on what I do not reckon an honourable footing, I think it necessary to communicate this intelligence to the Peers of Scotland who were not present at the election, together with the reason which has induced me to enter into a resolution, from which I certainly never will depart.

The public also, my Lords, has a right to know why a Peer, who has the honour to enjoy the esteem of his countrymen, separates himself from an order of men with which birth connected him, and which was originally intended to throw lustre on the country.

As the Peers who were in opposition to me and my principles, at the election, were double the number of my friends who attended the meeting, it was in vain for me to bring forward, with any effect, the reasons which ought to have induced the Peers to have with-held their voices from my opponent, or that particular reason which I am now about to give your Lordships, for my coming no more among you as electors, or as considering myself any longer connected with you, except as a relation, a friend, and a fellow-citizen of a country, which possesses my warmest affections.

It is well known, whatever the friends of Ministry, or the enemies of the Constitution may pretend, that the elections of the Peers of Scotland have been continually influenced by the successive Ministers of State ever since the Union, and in the late case as much as ever,

though not so glaringly, and with more caution.

It is well known, though it might be difficult to prove it legally, that a King's messenger was sent down express from the Marquis of Rockingham, to inform Lord Lauderdale, that he should have the good wishes and the interest of that Minister; and it is not known, but ought to be known, that I wrote a letter to the Secretary of State for the Northern Department at that time, to beg of him, that, as my friend, he would abstain from supporting my pretensions, as I would not consent to sit as a Peer upon such an influence.

The Marquis of Rockingham's express arrived at Lord Lauderdale's, on or about the 10th of May, when his Lordship's agents did immediately propagate every where the contents of the letter from the Minister; and it was presently known what risqué were to be run by the Peers who should vote for me on the basis of a free election.

Lord Lauderdale, however, was but poorly supported at the election; and the reason is obvious, his patron died, and the Minister was no more.

The Ministry did not long survive their head, and Lord Lauderdale had but five signed lists at the election.

Some Peers there were, and those I shall ever respect, who kindly informed me that their friendship, or relation to my opponent, prevented them from voting in behalf of me and my cause.

I feel the highest respect for such Peers, and shall ever mention them with honour.

I hope this compliment will be acceptable; for I have some honour to bestow.

My fortune is small, but I am independent.

My independence is inextinguishable.

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I can live on the food; the simple fare of my ancestors. I can prepare it, if it is necessary, in a helmet; and I can stir it about with my sword, the name, the origin, the emblem, and the charter of my family.

I can eat it, if fate commands me, in the field of battle, covered with dust, with wounds, but with honour; and it would sustain me in a cottage with the water of the brook—defeated, perhaps, but not subdued, by my enemies, and the enemies of the liberties of my country: and if even that last resource of an independent spirit should fail, I could certainly die by necessity, as some have done in the same way by choice. *Adeone usque mori?* No, my Lords, there is enough of the old Roman in me, and, what is much better, of a Christian hero, to teach me how to die, when I cannot preserve my life with honour.

I now take a final farewell of your Lordships, as electors of supreme legislators of Great-Britain, returning my most sincere thanks to those truly noble Lords of the apostolical number, who voted for me, and the independency of their order, on the 24th of this month. Their names shall be enrolled for ever with mine in the annals of this country; and if his Majesty shall ever be pleased to call me to a seat in Parliament by patent, which is now my only entrance to the House of Lords, I shall use my utmost endeavours to promote the interest and restoration of that order, which, in its present situation, I have forsaken.

I am, my Lords, with all due respect, your Lordships' most obedient, humble servant,

BUCHAN.

*Edinburgh, July 25, 1782.*

*Copy of the letter above-mentioned.*

*Edinburgh by April 30, 1782.*

MY LORD,

"I think it proper to inform your Lordship, that I intend to offer myself a candidate to succeed Lord

Loudon, as one of the Scots Representatives for the Peerage; but I know your Lordship has too strong a sense of my sentiments on that subject, to suppose that I would desire any more from you than, as a Minister, that you would suffer me to depend upon the uninfluenced opinion of my bretheren. I am, &c.

BUCHAN."

*Earl of Shelburne.*

The following letter of thanks was transmitted to the Marquis of Graham, by desire of a meeting of the natives of the Highlands of Scotland, met in the Gaelic chapel at Edinburgh:

MR LORD,

The natives of the Highlands of Scotland, at present residing in the city and suburbs of Edinburgh, beg leave to return your Lordship their most sincere thanks for your patriotic and spirited conduct in Parliament; and, particularly, for your exertions in favour of your native country, and the attention you was pleased to bestow upon the removal of that prohibition, which was laid by act of Parliament upon the inhabitants of the Highlands of Scotland from wearing the garb of their ancestors. The repeal of that act must be grateful to a people, the nature of whose country renders the mode of their ancient dress the most convenient and useful that can be adopted: and as no class of men within the verge of the British empire, are more firmly attached to the person of their Sovereign, or more submissive to good government, than the Highlanders of Scotland, they had an undoubted title to expect the abolition of a law so repugnant to natural freedom.

They also offer their sincere acknowledgments to Mr. Fraser of Lovat, who seconded your Lordship's motion, and to the other noblemen and gentlemen who concurred

curred with your Lordship in obtaining a repeal of that act.

They further beg leave to recommend to your Lordship's particular attention a repeal of the 54th act of the 1st session of the first Parliament of King George I. disarming the inhabitants of Scotland, residing within the counties and limits therein described. The removal of all odious and invidious distinctions, affecting the good subjects of the kingdom, must ever be attended with happy and salutary effects.

That you may live long to display those virtues which are conducive to the general welfare and happiness of the people at large, and to the preservation and maintenance of the British constitution, upon its true and genuine principles, is the ardent wish of the natives of the Highlands of Scotland, residing in the city and suburbs of Edinburgh.

Signed by the Preses, by desire, and in name of the meeting, and in presence of their committee.

*Edinburgh, July 15.*

*From the INDIA GAZETTE EXTRA-ORDINARY.*

*Calcutta, February 18, 1782.*

*Extract of a letter from Madras, January 30.*

"We have received advices from the Governor of Bencoolen, by which we learn, that the homeward bound Indiamen from China, calling at that Settlement in August last, had learned the news of a Dutch war, and immediately went and attacked Padang, which they took, and three other settlements, without loss."

*Particulars received since the above.*

After the late fall from Tellicherry, Major Abington followed Sardar Khan, (who retreated with a choice body of his troops into a small fort) surrounded, and took him and his whole party prisoners, with a great quantity of grain, and three

lacks of rupees in specie. Major Abington afterwards proceeded against Mehé, which had been strongly fortified and garrisoned by Hyder, and made himself master of it upon the first summons.

*The following is the substance of another letter just received in town.*

"Accounts from Bombay, dated the 8th of January, mention that Commodore Alms, with his Majesty's ships and some of the transports, arrived there the 6th, and that the rest were hourly expected. General Meadows was also arrived at Bombay. The same letters say, that the homeward-bound Indiamen from China, with some assistance from Fort Marlborough, had taken four Dutch settlements on the coast of Sumatra, without opposition.

"Letters from Tellicherry bring the pleasing news of the siege of that place being raised the 8th ult. Major Abington, with three battalions of seapoys, having completely surprized the enemy's camps and out-posts, killed 500 of them on the spot, and took 1200 prisoners, with 50 pieces of cannon. Hyder's General, Sardar Khan, found means to escape to his house with a chosen party of troops, but was immediately surrounded; and after the resistance of an hour, during which time the house was set on fire, he was taken prisoner. Three lacks of rupees were found in the house; some elephants, horses, bullocks, and a quantity of grain, were taken at the same time; together with the Fort of Mehé, &c. which had been put into a state of defence by Sardar Khan, the surrender of which made Major Abington's victory complete.

Later letters than the above have been received, mentioning that the whole fleet had actually arrived at Bombay, and that General Meadows had landed 3800 troops.

The

The following is a list of the Dutch fleet which sailed from the Texel, on the 9th of July, 1782.

Ships.	Guns.	Commanders.
* Admiral General — — — 76		Vice Admiral Zoutman
† Unie — — — 68		J. C. Staring
* Admiral Ruyter — — — 68		Rear Admiral Van Braam,
† Guilderland — — — 68		Solomon Bodger
† Utrecht — — — 64		Captain J. Stavorine
* Ers Prins — — — 56		J. P. Van Braam
Prins Frederick — — — 60		Rear Admiral Van Ver,
* Zuidbeveland — — — 64		Captain J. H. de Bergein
Glinthorst — — — 50		Jan Proifte
* Batavia — — — 54		J. Groft
Princess Louisa — — — 54		Com. J. Van Kinkel
Rhyland — — — 50		H. Van Vorste
Schudam — — — 50		R. C. Norman
Goos — — — 50		M. Maignolt
Tinger — — — 44		Cha. Muldert
Laudhrone — — — 44		Jan Geiste
Wandermeer — — — 44		J. S. H. Stormon
* Argo — — — 44		Laurint Staring
* Medimblu — — — 36		Jan Sneider
* Zephyr — — — 36		Jan Alleyne
Waakzaamham — — — 28		Leonard Bassett
Walcheren — — — 24		S. King
Venus — — — 24		J. V. Goes
Hoorn — — — 24		J. De Witts
Zwallowe cutter — — — 14		Harringsman
Spian — — — 14		J. Van Mert
		M. Soutmatz
		Lieut. Beauffet
		Lieut. Vangicht

Those marked \* were in the engagement off the Doger-Bank last Summer: and those † are new ships.

*Extract of a letter from Amsterdam, July 23.*

"We just now learn from the Vlie, by the return of the Sweider cutter, that Admiral Hartfincke, with seven sail of the line and three frigates, was cruizing the 19th, off the coast of Norway, from whence he would return to the Skaw in a week or ten days, where he expected to fall in with the Dutch fleet, from the Baltic, which is said to consist of 130 sail of vessels, being the largest that has come from there to Holland since the war; they have valuable cargoes, consisting of timber and stores, of which there is

great want here and in other dock-yards: the three new ships lately launched here will go out to the Texel with only their lower masts: the Waffenaar, of 64 guns, a very fine vessel, has been constructed here in seven months, from laying her keel. We have now about 600 shipwrights, exclusive of labourers, who can build two ships every twelve months: three new ones are now on the frames. A spy was executed at Medemblick the 6th instant, and his remains, with a large stone round the body, thrown into the Varendycke."

*Extract of a letter from Madrid,*  
June 25, 1782.

"The Duke de Crillon is arrived at the camp of St. Roch; and the first object of his attention has been to fix upon a place for the French troops: Their camp was traced out directly. Lieutenant-Gen. d'Alvarez, commandant of the blockade, retired the moment that the Duke de Crillon appeared in the army. It is thought the command of Castile, which has been vacant some days, is intended for him.

"The Count d'Artois is to be treated and regarded, in the King's dominions, as an Infant of Spain: the King's guards are to meet him on the frontiers, and attend him on his route. The Prince of Nassau has been presented to the King as Grandee of Spain."

*Extract of a letter from Paris, July 9.*

"Saturday last, Doctor Franklin dined, for the first time, with the Count d'Aranda, the Spanish Ambassador; he was accompanied by Mr. Jay, who resided for some time in Spain, and who is one of the Commissioners appointed by Congress, to treat for peace with England. His Excellency the Comte received them both as Ministers from Congress; this may therefore be deemed a public acknowledgment, on the part of Spain, of the independence of America."

*Hague, July 7.* Last Monday, having deliberated by resumption, in the assembly of the States General, upon the memorial delivered on the 3d of April, to their High Mightinesses, by Prince Gallitzin and Mons. de Markow, Ministers to her Imperial Majesty the Empress of Russia, and the letter of Mr. Fox, Secretary of State to his Britannic Majesty, respecting the disposition which England was in for entering into a negotiation for peace with the republic, on the footing of the treaty of 1674, under the mediation of

her said Imperial Majesty, and for concluding an armistice; and further, upon a communication made by the Pensionary Counsellor de Blyswyk, on the 10th of last month, to their High Mightinesses deputy for foreign affairs, of a verbal insinuation delivered by the Ministry of her Imperial Majesty, to Mons. de Wassenaar, the Ambassador from the Republic, in answer to their High Mightinesses resolution of the 4th of March, touching the mediation of her said Imperial Majesty, for a separate peace with England;—and further, upon the report made by Mr. Paget, of a conversation which he had with the Russian Ministers, who had delivered to him the copy of a second letter from Mr. Fox, to Mr. de Simolin, at London, written on the 4th of the preceding month; and at the same time upon a note from Prince Gallitzin; and finally, upon the communication made by the Pensionary Counsellor, on the 21st of the preceding month, to the deputies of their High Mightinesses, of a farther verbal insinuation, made by the Russian Ministry, to Mr. de Wassenaar, relative to the resolution of their High Mightinesses of the 4th of March last. It has been found good and decreed by their High Mightinesses, that there will be transmitted to the Ministers of Russia, upon their said memorials and insinuations, and also upon the letter produced, a similar answer to that received on the same subject, by their Noble and Great Mightinesses, on the 12th of last June.

*Extract of a letter from the Hague,*  
July 12.

"Yesterday a committee of the States of Holland, took into consideration the plan of the treaty of commerce with the United States of North America; and it is expected that it will be this day adopted by the States in full assembly, as they

are to deliberate, next week, about sending a Minister from this Republic to the Congress of North America.

*Hague, July 21.* The King of France, far from departing from the system of benevolence which he has followed, ever since the beginning of these troubles, with regard to us, gives us fresh proofs of his sincere and ardent zeal for our interests. The Duke de la Vauguyon, his Ambassador to the States General, presented the 17th of this month the following memorial:

*High and Mighty Lords!*

The King has lost no opportunity of giving your High Mightinesses the most essential testimonies of his affection. This sentiment alone has directed his Majesty, when he confined himself to the maintenance of your independence and dignity; when he met you with succours gratis, and when he assented to the concert proposed to him by your High Mightinesses. His Majesty sees with much satisfaction the just confidence which his disinterestedness has inspired your High Mightinesses with; and the determination you have just taken, is a fresh proof of it. It results from the resolution of the 1st of this month, that your High Mightinesses have transmitted to his Majesty, that after the most serious deliberations on your present situation, you have thought that it was more advantageous to defer the re-establishment of your peace with England, until the general pacification; and that your invariable intention is, not only to persevere in the concert of operations against the common enemy, established between his Majesty and your High Mightinesses, but moreover in the hopes, that his Majesty will vouchsafe, when the negotiations for a general peace shall take place, to take care of your interests, and give you, even now, proofs sufficient to make your

High Mightinesses easy in that respect. The King has charged me to express to your High Mightinesses, that his Majesty accepts with pleasure the proposal you make him, not to separate your cause from his, in this important circumstance; and that the sentiments of his constant affection will be an inviolable law to him, to watch, with the greatest care, over the interests of the dignity and prosperity of your High Mightinesses.

*From the Paris Gazette, July 9.*

*Extract of a letter from the Comte de Guichen, on board the Terrible at Sea, the 27th of June, 1782, addressed to the Marquis de Castries, Secretary of State for the marine department.*

"I have the honour to give you an account, that the combined fleet had, since its departure from Cadiz, but very little wind, notwithstanding which, however, we should have had a very speedy passage, if at the mouth of the Gulph they had not become contrary.

"We have been in a small degree hindered, by meeting a fleet of the enemy, which was perceived the 25th of June, in 47 degrees 36 minutes, and 15 degrees 50 minutes west of the meridian of Paris. The fleet consisted of 28 sail, and was escorted by the Portland of 50 guns, the Oiseau of 32, the Danae of 24, and the Merlin brig. They were destined for Canada and Newfoundland. Our frigates have taken 18 ships, but we could not overtake the ships that escorted them.

"At the departure of the courier from Brest, who brought this news, the convoy taken was off the Isle of Ushant.

*List of vessels taken.*

The brig Jenny, of 250 tons, Captain John Stewart, laden with brandy, salt, &c. 12 men.

The brigantine Commerce, of 230 tons

230 tons, Captain Edward Prichard, laden with provisions, 10 men.

The Eagle snow, of 300 tons, Captain William Crones, laden with provisions, 36 men.

The brig John, of 170 tons Captain Pittman, laden with provisions, 22 men.

The galliot Fogo, of 40 tons, Captain Joseph Brickquen, laden with provisions, 7 men.

The Canada of three masts, Captain John Hawkins, of 250 tons, laden with provisions.

The Maria of three masts, laden with provisions.

The Jenny, of three masts, Captain Williamson, laden with provisions, 24 men.

The brig Kingston, laden with provisions, 16 men.

The brig Garland, Captain Robert Proud, 120 tons, laden with provisions.

The brig Lively, laden with provisions and wine, 9 men.

The brig Shark, Captain James Wallace, 150 tons, laden with provisions.

The brig Providence, Captain John Ebitson, laden with provisions.

The brig Nancy, Captain Thomas Cawley, laden with provisions.

The brig Magdalen, Captain Buchan, laden with provisions, 12 men.

The brig Saint George, of 100 tons, laden with provisions, 12 men.

The Admiral Campbell, of 70 tons, laden with provisions, 8 men.

And the brig the Hermit, Captain David Murray, laden with provisions and wine, 11 men.

*Paris, July 1.* The Marquis de Bouille came to Versailles on Friday. The King gave him a very gracious reception: he conversed for above an hour and a quarter with his Majesty, who has raised him to the rank of Lieutenant-General. This officer has the greatest reputation. M. de Boscainville, who ar-

rived in the same ship, is yet at Brest.

*Paris, July 9.* The frigate La Fee, commanded by the Sieur de Boubee, has taken, near the Lizard, after a very smart engagement, the Alligator, a corvette, belonging to the King of England, mounting 18 six-pounders, lined with copper. This corvette was charged with dispatches from the commander of the Leander, which has been sent to take some small Dutch settlements on the Gold coast, of which they have made themselves masters. The Sieur de Boubee gives the greatest praise to the intrepidity with which Mr. Frodam, the commander of the Alligator, defended himself against the Fee, which mounts 32 guns, of which 26 are twelve pounders.

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*Extract of a letter from Amsterdam, July 25.*

“The Count and Countess of the North arrived here the 17th, in the evening, and alighted at Thibault's, the Amsterdam-arms inn. The 18th, they went to the Town House, where they were received and complimented by the Magistrates. They saw every thing that is to be seen; and the 19th, early in the morning, they set out in three sloops of war, commanded by two Captains of men of war, for the village of Saardam, within three leagues of this city, in North Holland. It is well known, that in 1697, Peter the Great quitted his Empire to travel and acquire knowledge; that he came to Saardam to learn ship building, and that he began and finished a ship of sixty guns, which he sent to the port of Archangel. Being arrived at the village in the greatest *incognito*, dressed like a Dutch peasant, he hired a small house, from whence he went every day to work in the dock-yard, like a common carpenter. It is this house

house that, for sixty years past, strangers came to visit, where they are struck with veneration and respect for the memory of a monarch, the most extraordinary that ever was. On their arrival, the Count and Countess got themselves conducted to this house, now named *Vorstenburgh*, (the Prince's castle) but what sort of a castle! it is a wretched cottage, consisting, in the whole, of one room, about eight feet square, built with boards, with a small bed in the form of a nich, after the manner of Holland, in which the Russian hero, who was six feet and three lines \* high, undoubtedly found it difficult to stretch himself. The grandson of him who let it to Peter, occupies it still: He was prepared to receive their Imperial Highnesses, and had placed in a corner the portrait of the ancient master of the house, and those of his august grand children, with verses analogous to the circumstance. These little monuments are the offerings of different persons, to the memory of Peter, consecrated more particularly here, than any where else. When the Prince and Princess entered, Mr. le Febure, physician of this city, had the honour to present to them the historical eulogium of Peter the Great,† which they received with sensibility and acknowledgment, and of which they accepted the dedication: This was honouring the God in his sanctuary. "I have the honour to present to the grandson of Peter the Great, the eulogium of his grandfather, under the humble roof where he founded the glory of the empire of Russia," said the author in presenting it to them. Of all the entertainments given to their Imperial Highnesses, during the course of their journey, none have

affected them so agreeably as the homage rendered to the memory of Peter, in the house which he inhabited upwards of eight whole months. Their hearts enjoyed it and swam in sensibility; they were moved, even to tears. They inspected every corner of this cot, with the greatest minuteness. The Prince seemed concerned not to find there any one household article, which his grandfather had made use of. There remains nothing but a tattered piece of the bed curtains, which were serge, one green, with damasked flowers. He asked several questions respecting the private life of the monarch, during his abode at Saardam, circumstances which have escaped the historians, and which are hardly transmitted by oral tradition. There is not, in the whole village, one individual that has seen Peter work in the dock-yard, although it is but 85 years since: the Prince seemed astonished at it. Mr. le Febure knowing what concerns the life of the Great Czar, answered to the questions of his Highness, who expressed to him his satisfaction.

"The Princess, with the goodness that captivates all hearts, enquired about the fortune of the proprietors of the house, and in the effusion of her generous soul, said to those who attended her, 'Let us give these good people all that we have;' and she gathered up from the purses of all her suite a considerable sum, with which she gratified them. They expressed their gratitude by their tears, and attempted to throw themselves at her feet. The Prince and Princess vouchsafed to accept of a glass of wine, presented by these honest peasants; and the Prince said, taking the glass in his hand, 'I never drink any wine, but I must drink

\* Méasure of Holland, where the foot is twelve inches of France.

† It is sold in Holland and Paris, and is printed for Wild, at Utrecht.

drink to him who has lived here. They recommended to these people not to sell their house. It is presumed they want to purchase it, and erect a monument there to the memory of the creator of the Russians. After having staid upwards of three quarters of an hour in this cradle of Russia, their Imperial Highnesses tore themselves away from it with pain, and went to visit the two dock-yards where Peter had worked. On the way a peasant brought a plate to Mr Le Febure, being part of the household furniture of Peter,

which the latter immediately presented to his Highness, which gave him the greatest pleasure. It is a wooden plate, painted yellow, with red flowers, and the cypher of Peter on the rim. It was with such plates that he regulated the Plenipotentiaries of King Augustus, whilst he signed with them that treaty, so fatal since to Sweden, and giving to their master such large subsidies. In fine, an immense concourse of people followed the illustrious travellers, and saw them depart with the utmost regret."

Verses written under the portrait of the Countess of the North, in the House of Peter.

Pourquoi nous montrer tant o'attraits ?

Princesse, menagez nos larmes.

D'autres climats vont jouir de vos charmes

Et nous n'aurons que les regrets.

By Mr. le Febure.

*From the LONDON GAZETTE.*

At the Court at St. James's, the 31st day of July, 1782.

Present, the King's Most Excellent Majesty in Council.

This day the Right Honourable George Earl Temple, and the Right Honourable Henry Dundas, Treasurer of his Majesty's Navy, were, by his Majesty's command, sworn of his Majesty's Most Honourable Privy Council, and took their places at the board accordingly.

His Majesty in Council was this day pleased to declare the Right Honourable George Earl Temple, Lieutenant General and General Governor of his Majesty's kingdom of Ireland.

*Whitehall, August 3.*

The King has been pleased to order a Conge d'Elire to the Dean and Chapter of the cathedral church of Salisbury, for electing a Bishop of that see, the same being vacant by the death of the Right Reverend Doctor John Hume, late Bishop thereof; and also a letter recommending to the said Dean and Chap-

ter the Right Reverend Father in God Doctor Shute Barrington, now Bishop of Landaff, to be by them elected Bishop of the said see of Salisbury.

The King has been pleased to grant to the Reverend Thomas Jackson, master of arts, and one of his Majesty's Chaplains in ordinary, the place and dignity of a canonry or prebend of the collegiate church of St. Peter, Westminster, void by the death of the Reverend Doctor John Blair.

The King has been pleased to grant the dignity of a Baronet of the kingdom of Great Britain, to Charles Kent, of Fornham St. Genevieve, in the county of Suffolk, Esq. and the heirs male of his body lawfully begotten.

*Whitehall, August 3.*

The following address having been transmitted to the office of his Majesty's Principal Secretary of State for the home department, has been presented to the King: Which address his Majesty was pleased to receive very graciously.

The



The humble address of the volunteers of the Province of Connaught, represented at a General Meeting held, pursuant to public notice, at Ballinasloe, on Saturday the 6th day of July, 1782.

To the King's Most Excellent Majesty.

*Most gracious Sovereign,*

We, your Majesty's loyal subjects, the Volunteers of the province of Connaught, impressed with the most unfeigned affection and attachment to your person and government, humbly beg leave to offer to your Majesty the sincere tribute of our gratitude for your benign and parental interposition, to remove the causes of those discontents, which had agitated the minds of your Majesty's Irish subjects; an interposition which has been happily crowned with success, and which, by placing the connection between this kingdom and Great Britain on its original basis, equal constitution and equal liberty have, we trust, rendered it forever indissoluble.

The people and parliament of Ireland, conscious that their claims were founded on the immutable rights of mankind, and denying with one voice any authority whatsoever in the British legislature over this kingdom, called upon its justice to repeal the statute of the 6th of Geo. I. as it advanced claims hostile to the rights of Ireland. The unanimity of Britain, rising superior to the prejudices of a mistaken policy, has complied with our requisitions, and has, by the repeal of that statute, annihilated every claim of British legislation and jurisdiction, either internal or external, over this kingdom, for ever: As such, we accept it, and as such, we hold it to be satisfactory.

Our sister kingdom has met us with the avowed purpose of establishing a solid, permanent basis of friendship and connection, and knows that

it is solid, not nominal;—permanent, not temporary freedom, can alone constitute such a basis. We know she is too wise and too noble to act upon the little policy of temporary deception; and that, if we could be mistaken in this our opinion, your Majesty, the common father of both kingdoms, would undeceive us. Relying, therefore, on the faith of nations, that a claim so solemnly relinquished can never be revived, (a revival which would sever the two countries for ever) and convinced that no laws between distinct kingdoms can bind, if that faith cannot, we beg leave to assure your Majesty, that all our jealousies are at end; and that, united with our fellow-subjects under the banners of liberty, we shall, with one heart, call forth all the resources of our country against the common enemies of the empire, and evince to your Majesty, and to our sister kingdom, that the voluntary exertions of freemen are superior to all the coercion of power: deprived of her liberty, we were but captives to adorn her triumphs; sharers in her constitution, we become the willing companions of her danger, and the participators of her glory.

Permit us, fir, to return our humble and grateful acknowledgment to your Majesty, for your having been graciously pleased to commit the administration of public affairs to men, whose attachment to the principles of general liberty, and whose avowed zeal to give efficacy to your Majesty's noble intention of diminishing undue influence, and establishing public œconomy, have justly won them the confidence of the people. To waste the treasure and stiffle the sense of the nation, by corrupting the Parliament, had long become a system among Ministers, but a new æra dawns upon us; and should the extermination of corruption, united with a more equal representation of the

the people, crown the blessings received under your Majesty's reign, it will be the most splendid that ever adorned the annals of this country; an emulation of independent support will then preclude the alledged necessity of undue influence; your Ministers, composed of tried friends of the public, will stand unshaken by opposition, while they remain uncontaminated by corruption; and your Majesty, enthroned in our hearts and surrounded with acclamations, will receive the unbounded effusions of the gratitude of a free, affectionate, and loyal people.

Signed by order,

DENNIS KELLY, Chairman.

*Dublin Castle, July 27.*

This day his Grace the Lord Lieutenant went in state to the House of Peers with the usual solemnity; and, the Commons being sent for, gave the royal assent to

An act for sparing to his Majesty, to be drawn out of this kingdom whenever his Majesty shall think fit, a force not exceeding five thousand men, part of the forces appointed to remain in this kingdom for its defence.

An act for extending certain of the provisions contained in an act, intitled, an act confirming all the statutes made in England.

An act for the regulation of his Majesty's marine forces while on shore.

An act for paving and repairing the streets, squares, lanes, quays, and other places, in the City and County of the City of Dublin, and liberties thereof; and for preventing and removing obstructions, nuisances and annoyances, within the same; and for other purposes therein mentioned.

Also to twenty-four public and four private bills.

After which his Grace made the following speech to both Houses of Parliament.

*My Lords and Gentlemen,*

The great and constitutional advantages you have secured to your country, and the wise and magnanimous conduct of Great Britain in contributing to the success of your steady and temperate exertions, call for my congratulations on the close of a session, which must ever reflect the highest honour on the national character of both kingdoms.

It must be a most pleasing consideration to you to recollect, that in the advances you made towards the settlement of your constitution, no acts of violence or impatience have marked their progress. A religious adherence to the laws confined your endeavours within the strictest bounds of loyalty and good order. Your claims were directed by the same spirit that gave rise and stability to the liberties of Great Britain, and could not fail of success, as soon as the councils of that kingdom were influenced by the avowed friends of the constitution.

Such a spirit of constitutional liberty, communicating itself from one kingdom to the other, must naturally produce that reciprocal confidence and mutual affection, of which we already begin to feel the most salutary effects. A grateful zeal and generous ardour have united the whole kingdom in the most cordial and vigorous exertions, which promise effectually to frustrate the designs of our common enemy, and to re-establish and secure the glory of the whole empire.

*Gentlemen of the House of Commons,*

When I consider the very active and liberal part you have taken in contributing to these great and glorious events, I must as distinctly express to you his Majesty's sense of the last effusion of your generosity for the defence of the empire, as I must return you his gracious thanks for the supplies which you so cheerfully voted at the beginning of this session.

His

His Majesty's royal example not only secures to you a most just and economical application of the aids you have granted him, but affords you a most solemn pledge of attentive investigation into every means which the circumstances of this country will afford, to alleviate the burdens of his loyal and grateful people. To co-operate with you in carrying into effect this benevolent disposition of his Majesty will afford me the highest gratification, and manifest to you the sentiments I shall ever entertain, in return for the confidence you have reposed in the sincerity of my professions for your welfare.

*My Lords and Gentlemen,*

In contemplating the services which your unremitting assiduity has rendered to the public, I must indulge myself in the satisfaction of specifying some very important acts, which will most materially strengthen the great constitutional reform you have completed, and which will for ever distinguish the period of this memorable session. You have provided for the impartial and unbiassed administration of justice, by the act for securing the independence of judges; you have adopted one of the most effectual securities of British freedom, by limiting the mutiny act in point of duration; you have secured that most invaluable of all human blessings, the personal liberty of the subject, by passing the Habeas Corpus Act; you have cherished and enlarged the wise principles of toleration, and made considerable advances in abolishing those distinctions which have too long impeded the progress of industry, and divided the nation. The diligence and ardour, with which you have persevered in the accomplishment of those great objects, must ever bear the most honourable testimony to your zeal and industry in the service of your country, and manifest your knowledge in its true interests.

Many and great national objects must present themselves to your consideration, during the recess for parliamentary business; but what I would most earnestly press upon you, as that on which your domestic peace and happiness, and the prosperity of the empire, at this moment most immediately depend, is to cultivate and diffuse those sentiments of affection and confidence, which are now happily subsisting between the two kingdoms. Convince the people in your several districts, as you are yourselves convinced, that every cause of past jealousies and discontents is finally removed, that both countries have pledged their good faith to each other, and that their best security will be an inviolable adherence to that compact; that the implicit reliance which Great Britain has reposed on the honour, generosity and candour of Ireland, engages your national character to a return of sentiments equally liberal and enlarged; convince them, that the two kingdoms are one, indissolubly connected in unity of constitution, and unity of interests; that the danger and security, the prosperity and calamity of the one, must equally affect the other; that they stand and fall together.

To his Grace William Henry Cavendish, Duke of Portland, Lord Lieutenant General, and General Governor of Ireland,

The humble address of the Lords Spiritual and Temporal, in Parliament assembled.

*May it please your Grace,*

We, his Majesty's most dutiful and loyal subjects, the Lords Spiritual and Temporal, in Parliament assembled, beg leave to congratulate your Grace on the approaching conclusion of a Session of Parliament, which has not been more beneficial to this country than honourable to your Grace.

At

At the close of this session we shall have seen, under your Grace's administration, the judges rendered independent of the Crown in point of tenure; the law for the punishment of mutiny and desertion abridged in duration, and become a security and vindication of the constitution; the jurisdiction of the hereditary judges of the land restored; the unconstitutional mode of passing laws, which was heretofore exercised in this country, reformed; and the sole and exclusive right of legislation, external as well as internal, in the Irish Parliament, firmly asserted on the part of Ireland, and unequivocally acknowledged on the part of Great Britain.

We have seen this great national arrangement established on a basis which secures the tranquility of Ireland, and unites the affections as well as interests of both kingdoms: And when we consider how long we had been labouring for these great and important objects; and that they have been accomplished in the short period of your Grace's administration, we should be wanting in justice to your Grace, if we did not acknowledge your virtue.

Your Grace will have the consummate satisfaction of reflecting that the name of Portland will remain engraven on our hearts; and that whenever your Grace shall withdraw from the administration of the affairs of this country, you will be pursued by the manly and dignified gratitude of a free people, restored to liberty by their own great exertions, rendered effectual under your Grace's auspicious government, and by your assistance.

We might enlarge on your Grace's eminent integrity, on your faithful representations, and your hereditary constitutional principles. We have felt their effects, and leave it to history to do you justice.

Wm. Watts Gayer, } Cler. Par.  
Edw. Gayer, }

VOL. XIV.

His Grace's answer.

My Lords,

I return you my sincere thanks for this very kind and affectionate address. The most earnest desire of my heart, and the great object of my administration, was to establish the constitution of Ireland on such a basis as might secure her tranquility and happiness, and unite her in affections as well as in interests with Great Britain. I was ever persuaded, that your claims to a participation of freedom with England were at once founded in justice, and merited by your character, and the spirit you displayed: It must, therefore, afford me the most solid pleasure to learn that you consider those claims as now finally established, and those great objects as permanently secured.

There could be but one thing wanting to complete my satisfaction, and this you have contributed by accepting, with the feelings you express, my personal endeavours to procure the inestimable benefits you have enumerated, and by considering me as having been instrumental in the accomplishment of your desires.

The gratitude of a free people for acknowledged benefits cannot leave a wish of virtuous ambition unsatisfied: I feel the value of it as I ought. In every situation of my life I shall hold myself bound by every tie of principle and affection to promote the interest and happiness of his Majesty's subjects of this kingdom.

To his Grace William Henry Cavendish, Duke of Portland, Lord Lieutenant General, and General Governor of Ireland,

The humble address of the Knights, Citizens and Burgesses, in Parliament assembled.

May it please your Grace,

We, his Majesty's most dutiful and loyal subjects, the Commons of Ireland in Parliament assembled, beg leave at the conclusion of a session, which hath not been more beneficial

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to this country than honourable to your Grace, to approach your Grace with the most unfeigned expressions of satisfaction.

At the close of this session we shall have seen, under your Grace's administration, the judges rendered independent of the crown, the law for the punishment of mutiny and desertion abridged in duration, and so altered as to become a vindication of the constitution; the jurisdiction of the hereditary judges of the land restored; the vicious mode of passing laws, which was heretofore exercised in this country, reformed; and the sole and exclusive right of legislation, external as well as internal, in the Irish Parliament, firmly asserted on the part of Ireland, and unequivocally acknowledged on the part of Great Britain.

We shall have seen this great national arrangement established on a basis which secures the tranquility of Ireland, and unites the affection as well as interests of both kingdoms; when we consider how long we had been labouring for these great and important objects, and that they have been accomplished in the short period of your Grace's administration, we should be wanting in justice to your Grace, if we did not acknowledge your virtue.

Your grace will have the consummate satisfaction of reflecting that the name of Bentinck will remain engraven on our hearts; and that whenever your Grace shall withdraw from the administration of the affairs of this country, an event we shall most sincerely lament, you will be attended (not by the forced and jaded benedictions of an oppressed province, but) by the manly and dignified love of a free people, restored to liberty by their own great exertions, rendered effectual under your auspicious government, and by your powerful assistance.

We might enlarge on your eminent integrity, your faithful repre-

sentations, your constitutional lineage, and your hereditary principles. We have felt their effects, and leave it to history to do you justice.

*Thos. Ellis, Cler. Parl. Dom. Com.*

His Grace's answer.

*Gentlemen of the House of Commons,*

I receive this affectionate address with the most sincere satisfaction. Attached, by education and habit, to the principles of the English constitution, and sensible that the benefits of it ought to be extended to this kingdom, it gives me a particular pleasure to have been in any degree instrumental in restoring it to that situation in which it has long deserved to be placed.

To settle the constitution of Ireland upon a secure foundation, and to unite its interests and affections with those of Great Britain, were the principal objects of my administration; and I am happy to learn that you consider those objects as accomplished.

Your approbation has gratified every ambition of my heart; and I should ill deserve your acknowledgments, if I did not feel the value of the gratitude of a free people, and in every situation of life, consider myself as bound to promote the interest and happiness of his Majesty's subjects of this kingdom.

*Dublin Castle, July 23, 1782.*

His Grace the Lord Lieutenant was this day pleased to confer the honour of knighthood on Hopton Scott, Esq. High Sheriff of the county of Wicklow.

*Stockholm, July 16.* This morning died, at her palace at Swartflo, after a few days illness, the Queen Dowager of Sweden, in the sixty-second year of her age.

The following MEMORANDUM presented to the STATES-GENERAL, at the Hague, on the 22d of July, 1782, by Mr. ST. SAPHORIN, the Danish

*Danish Envoy Extraordinary at that Court.*

*High and Mighty Lords,*

The under-signed had the honour on the 5th instant, of executing his Majesty's order relative to the enormous abuses committed by the Government, and those employed by them, at the Cape of Good Hope. He has at present the honour of reminding your High Mightinesses of that memorial, and of adding, in consequence of the express command which he had lately received, "That his Majesty, persuaded of your unchangeable desire of preserving a good intelligence between his subjects and those of your High Mightinesses, and of shewing, by the reception which his vessels meet with in your ports; that which you would wish your vessels should experience in his; he hopes that your High Mightinesses will be pleased to manifest your amicable intentions towards his Majesty, in assuring him, by a formal and precise declaration, that you will take immediate care, by express and strict orders, to be sent for that purpose to the Government and officers commanding at the Cape of Good Hope, that not only the Danish vessels may not experience any more hostilities there, which have been permitted in contempt of good faith and treaties, against four of his vessels, which have successfully arrived at the Cape; but, further also, that in future, every Danish vessel shall be received there in as friendly a manner as those of the Republic have been, for a long time past, received in the various ports of his Majesty's dominions; that they may be no more detained there against their wills, under any pretence whatever; and that they shall supply them, in an amicable manner with the customary supplies which are afforded between the most friendly nations.

His Majesty's demand is of the

utmost importance; it is founded upon the rights of men, upon reciprocity, upon the treaties between the two nations, and upon the convention of the armed neutrality, the principles of which are too well known to make a repetition of them necessary, and too clear and circumstantial to admit of any misconception. The reiterated violence committed against the vessels of his subjects have rendered indispensable this proceeding of his Majesty, and the demand upon which he previously insists. He cannot be refused but by a voluntary intention, which he is far from supposing, and still farther from wishing; he exacts neither enquiries nor previous explanations, but the affair is of too interesting a nature to admit of any delay. The under-signed has therefore positive orders "for demanding, upon this subject, a declaration and categorical answer from your High Mightinesses in the course of the present week."

As to the satisfaction to which his Majesty has a right to pretend, for the unheard-of proceedings between amicable nations, which the vessels of his subjects have experienced from those employed by the Dutch Company at the Cape of Good Hope; and as to the considerable damages sustained by the Danish Company, which cannot be refused, they are objects of further discussion. But his Majesty will never deviate, and nothing shall dissuade him from insisting in the powerful and efficacious manner upon both of these points, agreeable to the paper which the under-signed delivered on the 5th of July; and the notices, and farther pretensions, legal and circumstantial, which he will have the honour of laying before your High Mightinesses, that the loss sustained may be calculated with proof and just precision.

(Signed)

St. SAPHORIN,

A a z

Hague,

*Hague, August 1.*

Their Noble and Great Mightinesses the States of Holland and West Friesland have been assembled both yesterday and to day.

Their High Mightinesses have given a verbal answer to the last memorial of Mr. de St. Saphoring, of the Danish Envoy Extraordinary in the following terms, "That the constitution of the republic did not permit them to return a formal and swif speedily, as it was necessary to consult previously with the other provinces of the generality, but that they would assure his Majesty, the King of Denmark, before-hand, that he would receive every possible satisfaction with respect to his demands; and that, without any delay, an act and positive orders to the Governor of the Cape of Good Hope, to treat all the Danish vessels which may anchor there with all the friendship and attention due to nations in amity with each other.

This answer was immediately transmitted to Copenhagen.

*Extract of a letter from Dover, Aug. 4.*

"Arrived the ship Lord Germain, Captain William Thourburne, in six weeks, from Charles-Town, South Carolina. In her Lieutenant Colonel Macpherson, of the 71st, Lieutenant Wynyard, of the 33d, and Lieutenant Sir Egerton Leigh, of the 37th regiments, came passengers, and by her we have the following intelligence:

"That on the 17th of June, 36 sail of transports, under the convoy of a 50 gun ship and three frigates, had arrived off Charles-Town Bar, from New-York, and sailed from thence the 22d, for Savannah, for the purpose of carrying off that garrison and St. Augustine. That a brig had arrived on the 21st at Charles-Town from Savannah, by which a merchant in town received a letter from his correspondent, ac-

quainting him, that the merchants and principal inhabitants, on hearing of the resolution of evacuating the province of Georgia, waited on the Governor, and Brigadier-General Clarke, to request permission to apply to General Wayne, in order to try if they could procure any terms for the security and preservation of their properties and effects; which being granted them, sent a deputation from their number, with a flag to the American General, who returned them for answer, "That should the British garrison eventually effect an evacuation, the persons and properties of such inhabitants, or others who chuse to remain in Savannah, will be protected by the military, and resigned in violate into the hands of the civil authority, which must ultimately decide. Given at head-quarters, at Sharron, 17th June, 1782.

"ANTHONY WAYNE, B. E.  
commanding at Georgia."

"That the inhabitants and merchants having sent a second flag out, General Wayne, at the desire of the civil authority, sent them for answer, "That the merchants not owing allegiance to the United States, will be permitted to remain a reasonable time, to dispose of their goods, and settle their affairs. This is as far as General Wayne can engage."—Major Habersham, who was charged with the last message, pledged himself, that they might rely with the utmost confidence on the terms proposed them."

*From the SOUTH-CAROLINA ROYAL GAZETTE, June 15 and 19.*

June 5. A correspondent observes, that the late British Gazettes announce that Mr. Laurens had a conference for upwards of two hours with Lord Sandwich at the Admiralty; who, through the medium of Dr. Franklin, is vested with powers from

from Congress for treating of a separate peace with Great Britain.

"That Mr. Adams, who is at the Hague, has received a power from Congress for a like treaty."

"That Congress are heartily tired of a French alliance, intend of coming here to assist us as allies, they act as if they intended to be our masters; and

"That Dr. Franklin had been charged to declare to France the disapprobation of Congress to her conduct."

But how will those round assertions stand supported, when the public may be assured that Congress have rejected their specious cessation of offensive war against us with the contempt it deserves?

Mere forgeries had recourse unto, in hopes to induce the timid and credulous into a belief that our alliance totters, and to continue to them the delusion with which they have been all along blinded, by which, if they will not open their eyes, they will be led ere long to utter ruin.

*Charles-Town, June 19.* On Monday last arrived off our bar, a fleet of light transports from New-York. They left that place on the 26th of last month, under convoy of his Majesty's ships Assurance, Adamant, and Narcissus, and Cormorant sloop of war. On the passage hither the Narcissus was sent forward with the dispatches, but has not hitherto arrived. A day or two before their appearance off our bar, a vessel was seen by the rest of the fleet at anchor off Cape Roman, and entangled among the shoals, which was supposed to be the Narcissus.

*Richmond, (Virginia) May 11.* We are sorry to inform the public, that all our accounts from the frontiers of this State afford a gloomy prospect; scarcely one of the counties along the Alleghany that has not had some of the two outer counties, Monongahela and Greenoriar, are all in forts. Our accounts from the frontiers of South

Carolina and Georgia are, however, more favourable, as the militia of those States have penetrated the Indian country, on the sources of the Mobile, and bid fair to repress their insolence.

*ANNAPOLIS (Maryland) May 16.*

*In the House of Delegates, May 15, 1782.*

*10* *Richington's Royal Gazette of the 8th instant, announcing the arrival of Sir Guy Carleton at New-York, as a Commissioner for making peace or war in North America; the dissolution of the late British Ministry, and the appointment of a new Administration; and the draught of a bill brought into the British Parliament, to enable the King of Great Britain to conclude a peace or truce with the United States (by the appellation of the revolted colonies) being laid before the House and read:*

Resolved unanimously, That it is the opinion of this House, that peace with Great Britain and all the world is an object truly desirable, but that war, with all its calamities, is to be preferred to national dishonour; and that it is the sentiment of this House, that any negotiation for peace or truce, not agreeable to the alliance with France, is inadmissible; that every danger is to be encountered, every event hazarded, rather than fully our national character, or violate, in the least degree, our connection with our great and good Ally; and that good faith, gratitude, and safety, forbid any treaty with Great-Britain, but in conjunction with France, or with her consent first obtained.

Resolved unanimously, That this House will exert the power of the state to enable Congress to prosecute the war until Great-Britain renounce all claim of sovereignty over the United States, or any part thereof; and until their independence be formally or tacitly assured by the treaty with Great Britain, France, and the

United



United States, which shall terminate the war.

By order, *W. HAWOOD, Clerk.*

By the Senate, May 16, 1782.

Read and unanimously assented to.

By order, *J. MACCUBBIN, Clerk.*

*Extract of a letter from an American gentleman in Amsterdam, to his friend in this city, dated March 25.*

"The last papers, which contain the substance of the late change in England, will serve to shew a different mode of attack. England expects, by mild measures, and by granting what America does not thank her for, to conciliate their affections, and induce her to leave her ally to shift for herself. I think I know my countrymen too well to believe that they will stain their national character with such a deed. I shall only say, that I see no prospect of peace, unless England finds herself so embarrassed as to propose, in the coming winter, a general one, which I sincerely wish, but do not expect.

PHILADELPHIA, May 22.

*In Council, Philadelphia, May 21, 1782.*

Whereas on the 25th day of May, 1778, at a time when the British Parliament, Ministry, and King, were artfully attempting, by insidious means, to divide and destroy these United States, the General Assembly of Pennsylvania, with a dignity becoming the representatives of a virtuous and free people, entered unanimously into the following resolves, viz.

"1. Resolved unanimously, That the delegates or deputies of the United States of America in Congress assembled, are invested with an exclusive authority to treat with the King of Great Britain, or Commissioners by him duly appointed, respecting a peace between the two countries.

"2. Resolved unanimously, That

any man, or body of men, who shall presume to make any separate or partial convention or agreement with the King of Great Britain, or with the commissioners or commissioners under the Crown of Great Britain, ought to be considered and treated as open and avowed enemies of the United States of America.

Resolved unanimously, That the House highly approve of the declaration of Congress, "That these United States cannot, with propriety, hold any conference or treaty with any commissioners on the part of Great Britain, unless they shall, as a preliminary thereto, either withdraw their fleets and armies, or else, in positive and express terms, acknowledge the independence of the said States."

"4. Resolved unanimously, That the Congress have no power, authority, or right, to do any such matter, or thing whatsoever, that may have a tendency to yield up or abridge the sovereignty and independence of this state, without its consent previously obtained.

"5. Resolved unanimously, That this House will maintain, support, and defend the sovereignty and independence of this state with their lives and fortunes.

"6. Resolved unanimously, That it be recommended to the Supreme Executive Council of this state forthwith to order the militia to hold themselves in readiness to act as occasion may require."

And whereas there is the fullest evidence that the same spirit of wickedness and folly which at that time governed the councils of the British nation, has excited the present rulers of that people, under more specious names and pretences, to repeat the insulting attempt. And whereas the people of a free state are entitled to the fullest and clearest information of the principles on which their representatives, in the executive as-

well as in the legislative, mean to proceed in every great concern, this council conceive it to be their duty to declare, that as they fully and unanimously approve of the said recited resolutions, so they determine to adhere strictly to them on all occasions.

And it is the unanimous opinion of this council, that any propositions which may be made by the Court of Great Britain, in any manner whatsoever, tending to violate the treaty subsisting between us and our illustrious ally, ought to be treated with every mark of indignity and contempt. And at the same time this council, considering the advantages which nations derive from amity and commerce, founded on good faith, esteem, and mutual interest, and well knowing the benefit which Great Britain might derive from America, were she to adopt principles of moderation, wisdom, and justice, cannot so far suppress their desire for the general interest of mankind, and regard to the dignity of human nature, as not to feel some concern while they see that once powerful and respectable nation continuing to act upon principles which, if persisted in much longer, must, by destroying all title to the esteem, faith, and confidence of these United States, render treaties of amity and commerce between us and them absolutely and altogether impracticable.

Ordered, that the foregoing resolutions be published.

Extract from the minutes,

T. MATLACK, Secretary.

From the PENNSYLVANIA PACKET,

Jan 1.

SIR GUY CARLETON.

It is the nature of compassion to afflict with misfortune; and I address this to you in behalf even of an enemy, a Captain in the British

service, and now on his way to the head-quarters of the American army, and unfortunately doomed to death for a crime not his own.—A sentence so extraordinary, an execution so repugnant to every human sensation, ought never to be told without the circumstances which produced it; and as the destined victim is yet in existence, and in your hands rests his life or death, I shall briefly state the case, and the melancholy consequence.

Captain Huddy, of the Jersey militia, was attacked in a small fort on Tom's river, by a party of refugees in the British pay and service, was made prisoner, together with his company, carried to New York, and lodged in the provost of that city; about three weeks after which, he was taken out of the provost down to the waterside, put into a boat, and brought again upon the Jersey shore, and there, contrary to the practice of all nations but savages, was hung up on a tree, and left hanging until found by our people, who took him down and buried him.

The inhabitants of that part of the country where the murder was committed, sent a deputation to General Washington with a full and certified state of the fact. Struck, at every human breast must be, with such brutish outrage, and determined both to punish and prevent it for the future, the General represented the case to General Clinton, who then commanded, and demanded that the refugee officer who ordered and attended the execution, and whose name is Lippencot, should be delivered up as a murderer; and in case of refusal, that the person of some British officer should suffer in his stead. The demand, though not refused, has not been complied with; and the melancholy lot (not by selection, but by casting lots) has fallen upon Captain Asgill, of the guards, who, as I have already mentioned, is on

on his way from Lancaster to camp, a martyr to the general wickedness of the cause he engaged in, and the ingratitude of those he has served.

The first reflection which arises on this black business is, what sort of men must Englishmen be, and what sort of order and discipline do they preserve in their army, when, in the immediate place of their headquarters, and under the eye and nose of their Commander in Chief, a prisoner can be taken at pleasure from his confinement, and his death made a matter of sport.

The history of the most savage Indians does not produce instances exactly of this kind: they at least have a formality in their punishments. With them it is the horridness of revenge, but with your army it is the still greater crime, the horridness of diversion.

The British Generals who have succeeded each other, from the time of General Gage to yourself, have all affected to speak in language they have no right to. In their proclamations, their addresses, their letters to General Washington, and their supplications to Congress (for they deserve no other name) they talk of British honour, British generosity, and British clemency, as if those things were matters of fact; whereas we, whose eyes are open, who speak the same language with yourselves, many of whom were born on the same spot with you, and who can no more be mistaken in your words than in your actions, can declare to all the world, that so far as our knowledge goes, there is not a more detestable character, nor a meaner or more barbarous enemy, than the present British one. With us you have forfeited all pretension to reputation, and it is only by holding you like a wild beast, afraid of your keepers, that you can be made manageable.—But to return to the point in question.

Though I can think no man inno-

cent who has lent his hand to destroy the country, which he did not plant, and to ruin those he could not enslave, yet, abstracted from all ideas of right or wrong on the original question, Captain Asgill, in the present case, is not the guilty man. The villain and the victim are here separated characters. You hold the one, and we the other. You disown or affect to disown and reprobate the conduct of Lippencot, yet you give him sanctuary; and by so doing, you as effectually become the executioner of Asgill, as if you put the rope on his neck, and dismissed him from the world.

Whatever your feelings on this extraordinary occasion may be, are best known to yourself. Within the grave of your own mind lies buried the fate of Asgill. He becomes the corpse of your will, or the survivor of your justice. Deliver up the one, and you save the other; withhold the one, and the other dies by your choice.

On our part the case is exceedingly plain: *an officer has been taken from his confinement and murdered, and the murderer is within your lines.* Your army have been guilty of a thousand instances of equal cruelty, but they have been rendered equivocal, and sheltered from personal detection. Here the crime is fixt; and is one of those extraordinary cases which can neither be denied nor palliated, and to which the custom of war does not apply; for it never could be supposed that such a brutal outrage would ever be committed. It is an original in the history of uncivilized barbarians, and is truly British.

On your part, you are accountable to us for the personal safety of the prisoners within your walls. Here can be no mistake; they can neither be spies, nor suspected as such; your security is not endangered, nor your operations subjected to miscarriage, by men immured within a dungeon. They differ in every circumstance from

from men in the field, and leave no pretence for severity or punishment. But if, to the dismal condition of captivity with you, must be added the constant apprehensions of death; if to be imprisoned is so nearly to be executed; and if, after all, the murderers are to be protected, and thereby the crime encouraged, where in do you differ from Indians either in character or conduct?

We can have no idea of your honour, or your justice in any future transaction, of what nature it may be, while you shelter within your lines an outrageous murderer, and sacrifice in his stead an officer of your own. If you have no regard to us, at least spare the blood which it is your duty to save. Whether the punishment will be greater on he, who, in this case, innocently dies, or on he whom sad necessity forces to retaliate, is, in the nicety of sensation, an undecided question. It rests with you to prevent the sufferings of both. You have nothing to do but to give up the murderer, and the matter ends.

But to protect him, be he who he may, is to patronize his crime; and to trifle it off by frivolous and unmeaning enquiries, is to promote it. There is no declaration you can make, no promise you can give, that will obtain credit. It is the man, and not the apology, that is demanded.

You see yourself pressed on all sides to spare the life of your own officer, for die he will, if you withhold justice. The murder of Captain Huddy is an offence not to be borne with, and there is no security we can have that such actions, or similar ones, shall not be repeated, but by making the punishment fall upon yourselves. To destroy the last security of captivity, and to take the unarmed, the unresisting prisoner to private and sportive execution, is carrying barbarity too high for

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silence. The evil must be put an end to; and the choice of persons rests with you. But if your attachment to the guilty is stronger than to the innocent, you invent a crime that must destroy your character, and if the cause of your King needs to be so supported, forever cease, Sir, to torture our remembrance with the wretched phrases of British honour, British generosity, and British clemency.

From this melancholy circumstance learn, Sir, a lesson of morality. The refugees are men whom your predecessors have instructed in wickedness, the better to fit them to their master's purpose. To make them useful, they have made them vile, and the consequence of their tutored villainy is now descending on the heads of their encouragers. They have been trained like hounds to the scent of blood, and cherished in every species of dissolute barbarity. Their ideas of right and wrong are worn away in the constant habitude of repeated infamy, till, like men practised in executions, they feel not the value of another's life.

The task before you, though painful, is not difficult; give up the murderer, and save your officer, as the first outset of a necessary reformation.

COMMON SENSE.

*Philadelphia, May 31, 1782.*

#### EAST-INDIA INTELLIGENCE.

*The following is an authentic Copy of a Letter sent by SIR EYRE COOTE to the Honourable CHARLES SMITH, President, and the Members of the Select Committee, dated at his Camp near Cuddalore, 6th July, 1781.—As the Publication of this Paper must give the Public a very circumstantial and authentic detail of India affairs, previous, as well as subsequent to the battle on the 1st of July, we take the earliest opportunity of laying it before the public.*

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To the Honourable CHARLES SMITH,  
President, and Members of the Select  
Committee.

GENTLEMEN,

The hurry of business consequent to the engagement with the enemy on the 1st inst. has hitherto prevented me from transmitting to you a circumstantial account of the occurrences of that day. I therefore take this opportunity of informing you of such matter as seems to me material from date the 29th ultimo.

Owing to unavoidable delays in landing the necessary provisions from the vessels at Porto Novo, I found it impracticable to move the army till the 30th ult. The necessary orders were given for marching at three o'clock that morning, but a heavy fall of rain on the night preceding hindered me from commencing my march as proposed. Our field equipage was rendered so heavy by the rain, that our miserable bullocks were not able to carry their loads; this occasioned a further delay of another day. One extra day's rice was landed, and the march at length commenced on the 1st instant, at five in the morning. From every information received, it was clear, that the enemy had united their whole force (Tippoo Saibs detachment excepted) and from the position taken up between us and Cuddalore, meant to try the issue of a general engagement. The grounds they occupied, naturally strong and commanding, were rendered much more formidable by most of the spots that would admit of it to advantage, being strengthened with front and flanking batteries erected with judgment and dispatch, by Hyder Ally's corps, appropriated for such services. Large bodies of cavalry, who had, from our arrival at Porto Novo, hovered round our camp, rendered it impracticable for even a single hircarrah to return with any intelligence that might be depended on,

of either the strength or position of the enemy's batteries. Our grand guard, and other out-posts were absolutely the boundary and limited extent of our knowledge respecting the enemy. The protection of our baggage and numerous followers, required every considerable portion of our small army to prevent or repel any insult during our march in that quarter; and the forming this most necessary detachment, considerably weakened our force in line, which could ill afford a single man, from the grand object of engaging and forcing the numerous army of Hyder Ally. Situated as described, however, two regiments of cavalry, a battalion of sepoys, with 3 six and 4 three pounders; the baggage guard, consisting of about 150 sepoys; the few potigars we have, and our small Mahratta corps, were ordered for their protection. Their road lay on our right between the army and the sea. By seven in the morning the line had drawn out of our line of encampment near Porto Novo, marching from the right. The country soon opened an extensive plain, and as the enemy's cavalry appeared there in force, I formed in two lines, and proceeded on my march in order of battle. We had not advanced above one mile, before the enemy's batteries were clearly discovered; as to position, they lay exactly on our intended road of march. I halted the army for near an hour; it was necessary to explore, if possible, the ground on our right, in hopes of its admitting to advance from that point, by which we should avoid the enemy's direct fire from their batteries, and have a chance, by gaining the left of their post, to turn, or otherwise to command them. The principal force of their army was drawn up in the rear of their works, extending further on the plain than either the eye or horizon can command, with large bodies of cavalry,

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In every direction, and their rockets were thrown in numbers to impede and harass our movements. During this interval of unavoidable inaction, thoroughly to examine their position, we were obliged to suffer a warm cannonade; their guns were well served, and did execution. We could not afford to throw away many shot to answer them, having occasion for every round we had for more decisive service. I determined on the movement to the right, and proceeded about nine o'clock, the two lines marching parallel to each other in that direction, consequently it only required their facing to the front to re-assume, at any time, their original order. Two battalions, with eight field-pieces, were ordered to form a third face, the flanks of the corps joining both lines on the left to keep some batteries in check from that quarter, which opened while we were preparing that movement. A practical road was found on the right, made by Hyder, meant for other purposes than our approach \* to it, we proceeded towards his field; his guns, which were under cover, and his artillery uncovered in line, galled us considerably as we advanced; but a quick and forward movement seemed absolutely necessary. On passing the road mentioned, I was obliged to file off and reduce my front; but as soon as the ground permitted, formed in order as before. A thick caldera hedge covering my right, some land hills contiguous to the pass, lay luckily situated, were unoccupied, and contributed materially to favour my plan of operations. The minute was critical, I had gained the flank of the enemy's batteries, waited with impatience a heavy fire of cannon, till I had ascertained, that the heights

in my rear were possessed by the 2d line; then instantly moved on with the rest, as fast as order and advancing fire of artillery on our side would permit.

I have the pleasure of acquainting you, that the position promptly resolved on succeeded, for there was no time for ought but decided dispatch; hesitating in the situation of our affairs, would have been little better than a defeat, having no resource but four days provisions carried on the soldiers backs. The guns in their batteries were soon drawn off, and retired to their line, where our attack was very warmly disputed till four o'clock. The bravery of our troops at length carried the point, and the 1st line forced the enemy's infantry, artillery, and their cavalry, to give way, obliging them to seek for safety by a retreat. Just as they went off, their principal force of infantry, who were, from the situation of the ground under tolerable cover, gave one general discharge of musquetry, but too distant to do considerable execution. The 2d line obstinately disputed, and with success, an attack made on my rear by many battalions of infantry with their guns, and a very large body of cavalry. The different efforts made to charge and force the rear corps of the 2d line, were all repulsed. The heights disputed, carried and kept possession of, by which the advancing corps were left at liberty to push the enemy in front advantageously. The possessing the heights also kept the enemy from proceeding towards the sea, to attempt our baggage; it was from thence carried in perfect security, and unmolested. I was joined by the corps in my rear at midnight. It took some time to bury our dead

\* The road alluded to was made by Hyder, for the purpose of drawing his guns to a large redoubt, about half a mile distant from the sea; the work was far advanced, and required but another day to complete it.

on the enemy's ground of encampment; every possible attention was paid also on the field to our wounded men. That night the army pursued the road; the enemy had retired, by crossing the strong pass or nulla of Pu avenaur, without any molestation, and took up our ground on the N. W. side of it, near to the village of Mootypollum, thereby securing a material point towards completing my march towards Cudalore.

From authentic information, the enemy's force was nearly as follows: artillery, 47 pieces, very well served; 620 Europeans; 1100 Topasses, and others in European dress; cavalry, 40,000; 23 battalions of sepoy; strength 18,400; irregular footmen, armed with match-locks, pikes, and rockets, 120,000. The above were in Hyder's own pay, besides lascars, pioneers, and artificers, not included. These bodies were numerous; also of the fighting men of the Nabob of Sanoor, Rajah Redre, Rajah Arpanelly, Rajah Jerrimerry, and the different Poligars, who have joined Hyder since he entered the Carnatic. His guns were principally worked by Europeans, and native artillery, who had formerly been in the Nabob's service, and it is reckoned, that there was embodied in his service, from two thousand eight hundred to three thousand sepoy, made prisoners in Colonel Baillie's action, and at other places since the commencement of the war. These accounts are taken from an intelligent Portuguese Officer, who came over to us in the beginning of the action; they are also corroborated from other channels of intelligence. The behaviour of the whole army on this most interesting day was uniformly steady, and worthy of the highest commendation. I was well seconded by Major-General Munro, who commanded the first line; his spirited and active conduct

contributed greatly to our success. Brigadier-General Stuart, who commanded the second line, and had orders to defend the heights, performed that service much to my satisfaction. In short, every individual of our little army seemed to feel the critical situation of our national concerns dependent on this country. Our falling interests required uncommon exertions to support them, and, to the credit of this army, every nerve was exerted to the very extent of possibility. The only difficulty was to restrain the order of the troops within prudential bounds; eager to advance, it became particularly necessary to guard against accidental disorder, situated as we were with multitudes of cavalry against us on the watch, to take advantage of hurried and confused movements, from the want of a corps of cavalry on our side equal in number to the service required, we were with the victory decidedly declared obliged to halt just beyond the enemy's ground, not being able to take advantage of so distinguished a day; for with a corps of cavalry, the enemy's guns, stores, &c. would to a certainty have fallen into our hands. Their strong fine cattle drew their guns off in a trot; nor was it possible for fatigued infantry to hinder this distressed fight to us. The spirited behaviour of our sepoy corps did them the greatest credit; no Europeans could be steadier; they were emulous of being foremost in every service it was necessary to undertake. Considering the trying situation this army is in, destitute of most of the common resources for carrying on service, weak draft, and hardly any carriage cattle, our guns in the face of the enemy's heavy fire, were through deep sand obliged to be drawn a full mile by the soldiers; no provisions but from day to day, pay considerably in arrears, the principal part

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of the Carnatic and its capital in possession of the enemy, our armies in different parts of India having also lately unfortunately received checks, an enemy of great force to deal with, whose rapid success has strengthened his cause with the natives to an alarming degree, no proper force of cavalry on our side, and not half carriages sufficient for our wounded and sick: these things considered, I think I may venture to say, that fairly to beat Hyder on his fortified ground was as much as could be expected.

You will receive inclosed the return of the killed and wounded. I am happy to remark that our loss has been inconsiderable, when compared to the business of the day. I also inclose copies of letters received from Colonel Braithwait Nixon, and regret that by them you will be informed of unfortunate events near Tanjore and Trinchinopoly.

From the best information possible to receive of the enemy's loss, it amounts to about 3000 men. Meer Saib, second in command, died soon after the action of the wounds he received, and a number of their leading men are reported to be killed and wounded. My movement to Chillumbrum and Porto Novo, has been also attended with the following material advantages. The Tanjore, Trinchinopoly, and other southern countries, are freed from the enemy's depredations, and Trinchinopoly from an immediate siege, which Hyder had decided to undertake. Provided money is found by Government to pay our troops, and they are enabled to move properly relieved from those absolute stated wants already recited, it may by degrees be possible to emerge from our present difficulties; but without the greatest exertions from Government to obviate the unsurmountable distresses this army labour under, no decisive military measures for re-

covering the country can be carried into execution; nor can any secure blow, or check the enemy may receive, be followed to advantage. It must be evident to every one, that if Hyder Ally, buoyed up with former successes, had not borne down to seek us, I could not have moved the army to follow him; and this is a situation so trying to the responsible military commander, that an officer of character shudders at the idea of being placed in such a predicament. I halted the army the 2d and 3d instant near Mootopollum, and on the 4th, as my four days provisions would have been expended, marched to this place.

Notwithstanding the great force Hyder has with him, Tippo Saib invested Wandewash on the 30th ult. taking possession of the Pettah. The enemy's troops before the place are five *rosallas* of infantry, 10,000 cavalry, as many more irregularly armed, in all full 30,000 men, with thirteen pieces of battering cannon. I have accounts, but such as cannot absolutely be depended on, that in consequence of the action of the 1st. Hyder has given orders to withdraw the attack. I have been preparing, since my arrival here, in the best manner I am able, to move to its relief, if necessary.

Advice is just now received, that the Admiral sailed this day from Porto Novo for the southward.

Permit me to request you will be pleased to forward copies of these dispatches to the Supreme Council for their information.

I have the honour to be, Gentlemen, your most obedient servant,

ETRE COOTE.

*Camp, near Cuddalore,*

*July 6, 1782.*

P. S. By the last information respecting the situation of the enemy's encampment, their army lay on the northern banks of the river Vitel, about seven *cos* from hence.

COPIES



**COPIES OF THE NEW FORMS  
OF GOVERNMENT IN AME-  
RICA; Continued.**

Having furnished the public with the greatest part of these in the former volumes of this work, we shall here lay before the reader the few remaining ones; first informing him of the particular places, where the former are to be found.

The Constitution of Massachusetts, is in 1780, part 2, page 202.

The Constitution of New Jersey, is in 1776, part 3, page 73.

The Constitution of Pennsylvania, is in 1777, page 1. This Constitution was drawn up by Dr. Franklin, and is here printed from a correct copy.

The Constitution of Virginia, is in 1776, part 3, page 66, with the preamble.

The Constitution of South Carolina, is in 1778, page 276.

Connecticut, Rhode Island and New Hampshire, have either not yet established their new forms of Government, or have adopted the Massachusetts form: at least, no authentic copy of them has yet appeared in England.

The Declaration of Independence, which is sometimes called the first act of the New Government in America, and is now the new epoch of that country, is in the volume for 1779, page 33; in the history of the American Revolution, written and published by the Congress; which, at the time of the publication, made one entire number; and was at that time so much demanded, on account of the many interesting papers and facts contained in it, that it was no less than three times reprinted. The strictures upon the Declaration of Independence, in part 3 for 1776, page 25, were written by Governor Hutchinson. All the papers respecting the new Constitutions, the Provincial Conventions, &c. &c. shewing the beginning, rise

and progress of the Revolution in America, have been regularly and constantly preserved in this work. The Articles of Confederation, are in the volume for 1778, page 34. The Treaty of Commerce with France (with the original French) is in the volume for 1778—9, page 64; and the Treaty of Alliance with France, is in the same volume, page 199.

*A Copy of the CONSTITUTION of the State of New-York. Established by the CONVENTION, authorized and empowered for that Purpose, April 20, 1787.*

1. This Convention, in the name and by the authority of the good people of this state, doth ordain, determine, and declare, that no authority shall, on any pretence whatever, be exercised over the people or members of this state, but such as shall be derived from and granted by them.

2. This Convention doth further, in the name and by the authority of the good people of this state, ordain, determine, and declare, that the supreme legislative power, within this state, shall be vested in two separate and distinct bodies of men; the one to be called *The Assembly of the State of New-York*; the other to be called *The Senate of the State of New-York*; who together shall form the legislature, and meet once, at least, in every year, for the dispatch of business.

3. And whereas, laws inconsistent with the spirit of this constitution, or with the public good, may be hastily and unadvisedly passed; be it ordained that the Governor, for the time being, the Chancellor, and the Judges of the Supreme Court, or any two of them, together with the Governor, shall be, and hereby are, constituted a council to revise all bills about to be passed into laws by the legislature, and for that purpose shall assemble themselves, from time to time, when the legislature shall be

be convened; for which nevertheless, they shall not receive any salary or consideration, under any pretence whatever. And that all bills, which have passed the Senate and Assembly, shall, before they become laws, be presented to the said council for their revision and consideration; and if upon such revision and consideration, it should appear improper to the said council, or a majority of them, that the said bill should become a law of this state, that they return the same, together with their objections thereto in writing, to the Senate or House of Assembly, in whichsoever the same shall have originated, who shall enter the objections sent down by the council, at large, in their minutes, and proceed to reconsider the said bill. But if after such reconsideration, two thirds of the said Senate or House of Assembly, shall, notwithstanding the said objections, agree to pass the same, it shall, together with the objections, be sent to the other branch of the legislature, where it shall also be reconsidered, and if approved by two thirds of the members present shall be a law.

And in order to prevent any unnecessary delays, be it further ordained, that if any bill shall not be returned by the council within ten days after it shall have been presented, the same shall be a law, unless the legislature shall, by their adjournment, render a return of the said bill within ten days impracticable; in which case the bill shall be returned on the first day of the meeting of the legislature, after the expiration of the said ten days.

4. That the Assembly shall consist of at least seventy members, to be annually chosen in the several counties in the proportions following, viz.

For the city and county of New-York, *nine*.

The city and county of Albany, *ten*.

The county of Dutchess, *seven*.

The county of Westchester, *six*.

The county of Ulster, *six*.

The county of Suffolk, *five*.

The county of Queens, *four*.

The county of Orange, *four*.

The county of Kings, *two*.

The county of Richmond, *two*.

The county of Tryon, *six*.

The county of Charlotte, *four*.

The county of Cumberland, *three*.

The county of Gloucester, *two*.

5. That as soon after the expiration of seven years, subsequent to the termination of the present war as may be, a census of the electors and inhabitants in this state be taken, under the direction of the legislature. And if on such census, it shall appear, that the number of representatives in Assembly from the said counties, is not justly proportioned to the number of electors in the said counties respectively, that the legislature do adjust and apportion the same by that rule. And further, that once in every seven years, after the taking of the said first census, a just account of the electors resident in each county shall be taken; and if it shall thereupon appear, that the number of electors in any county, shall have increased or diminished one or more seventieth parts of the whole number of electors, which on the said first census shall be found in this state, the number of representatives for such county shall be increased or diminished accordingly, that is to say, one representative for every seventieth part as aforesaid.

6. And whereas, an opinion hath long prevailed among divers of the good people of this state, that voting at elections by ballot, would tend more to preserve the liberty and equal freedom of the people than voting *viva voce*. To the end therefore, that a fair experiment be made,

made, which of those two methods of voting is to be preferred :

Be it ordained, that as soon as may be, after the termination of the present war, between the United States of America and Great Britain, an act, or acts be passed by the legislature of this state, for causing all elections thereafter to be held in this state, for senators and representatives in Assembly, to be by ballot, and directing the manner in which the same shall be conducted. And whereas, it is possible, that after all the care of the legislature, in framing the said act or acts, certain inconveniences and mischiefs, unforeseen at this day, may be found to attend the said mode of electing by ballot :

It is further ordained, that if after a full and fair experiment shall be made of voting by ballot aforesaid, the same shall be found less conducive to the safety or interest of the state, than the method of voting *viva voce*, it shall be lawful and constitutional for the legislature to abolish the same; provided two thirds of the members present in each house, respectively shall concur therein : And further, that, during the continuance of the present war, and until the legislature of this state shall provide for the election of senators and representatives in Assembly by ballot, the said elections shall be made *viva voce*.

7. That every male inhabitant of full age, who shall have personally resided within one of the counties of this state, for six months immediately preceding the day of election, shall, at such election, be intitled to vote for representatives of the said county in Assembly; if, during the time aforesaid he shall have been a freeholder, possessing a freehold of the value of twenty pounds, within the said county, or have rented a tenement therein of the yearly value of forty shillings, and been rated and actually paid taxes to this state : Pro-

vided always, that every person who now is a freeman of the city of Albany, or who was made a freeman of the city of New-York, on or before the fourteenth day of October, in the year of our Lord one thousand seven hundred and seventy-five, and shall be actually and usually resident in the said cities respectively, shall be entitled to vote for representatives in Assembly within his said place of residence.

8. That every elector, before he is admitted to vote, shall, if required by the returning officer, or either of the inspectors, take an oath, or if of the people called Quakers, an affirmation, of allegiance to the state.

9. That the Assembly thus constituted shall chuse their own speaker, be judges of their own members, and enjoy the same privileges, and proceed in doing business, in like manner as the Assemblies of the colony of New-York of right formerly did; and that a majority of the said members shall, from time to time, constitute a house to proceed upon business.

10. And this convention doth further, in the name and by the authority of the good people of this state, ordain, determine and declare, that the Senate of the State of New-York, shall consist of twenty-four freeholders, to be chosen out of the body of the freeholders, and that they be chosen by the freeholders of this state, possessed of freeholds of the value of one hundred pounds, over and above all debts charged thereon.

11. That the members of the senate be elected for four years, and immediately after the first election, they be divided by lot into four classes, six in each class, and numbered one, two, three and four; that the seats of the members of the first class shall be vacated at the expiration of the first year, the second class

class the second year, and so on continually; to the end that the fourth part of the senate, as nearly as possible, may be annually chosen.

12. That the election of senators shall be after this manner; that so much of this state as is now parcelled into counties, be divided into four great districts; the southern district to comprehend the city and county of New-York, Suffolk, Westchester, Kings, Queens, and Richmond counties; the middle district to comprehend the counties of Dutchess, Ulster, and Orange; the western district, the city and county of Albany, and Tryon county; and the eastern district, the counties of Charlotte, Cumberland, and Gloucester. That the senators shall be elected by the freeholders of the said districts, qualified as aforesaid, in the proportions following, to wit, in the southern district nine, in the middle district six, in the western district six, and in the eastern district three. And be it ordained, that a census shall be taken as soon as may be, after the expiration of seven years from the termination of the present war, under the direction of the legislature: and if on such census it shall appear, that the number of senators is not justly proportioned to the several districts, that the legislature adjust the proportion as near as may be, to the number of freeholders qualified as aforesaid, in each district. That when the number of electors, within any of the said districts, shall have encreased one twenty-fourth part of the whole number of electors, which, by the said census, shall be found to be in this state, an additional senator shall be chosen by the electors of such district. That a majority of the number of senators to be chosen as aforesaid, shall be necessary to constitute a senate sufficient to proceed upon business, and that the senate shall, in like manner with the assembly,

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be the judges of its own members. And be it ordained, that it shall be in the power of the future legislatures of this state, for the convenience and advantage of the good people thereof, to divide the same into such further and other counties and districts, as shall appear to them necessary.

13. And this convention doth further, in the name and by the authority of the good people of this state, ordain, determine, and declare, that no member of this state shall be disfranchised, or deprived of any of the rights or privileges secured to the subjects of this state, by this constitution, unless by the law of the land, or the judgment of his peers.

14. That neither the assembly nor the senate shall have power to adjourn themselves for any longer time than two days, without the mutual consent of both.

15. That whenever the assembly and senate disagree, a conference shall be held in the presence of both, and be managed by committees to be by them respectively chosen by ballot. That the doors both of the senate and assembly, shall at all times be kept open to all persons, except when the welfare of the state shall require their debates to be kept secret. And the journals of all their proceedings shall be kept in the manner heretofore accustomed by the general assembly of the colony of New-York, and except such parts as they shall, as aforesaid, respectively determine not to make public, be from day to day, (if the business of the legislature will permit) published.

16. It is nevertheless provided, that the number of senators shall never exceed one hundred, nor the number of assembly three hundred; but that whenever the number of senators shall amount to one hundred, or of the assembly to three hundred, then in such case, the le-

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gislature

gislature shall from time to time hereafter, by laws for that purpose, apportion and distribute the said one hundred senators, and three hundred representatives, among the great districts and counties of this state, in proportion to the number of their respective electors; so that the representation of the good people of this state, both in the senate and assembly, shall for ever remain proportionate and adequate.

17. And this convention doth further, in the name and by the authority of the good people of this state, ordain; determine, and declare, that the supreme executive power and authority of this state shall be vested in a governor; and that stately once in every three years, and as often as the seat of government shall become vacant, a wise and discreet freeholder of this state shall be by ballot elected governor, by the freeholders of this state, qualified as before described to elect senators; which elections shall be always held at the times and places of choosing representatives in assembly for each respective county; and that the person who hath the greatest number of votes within the said state, shall be governor thereof.

18. That the governor shall continue in office three years, and shall, by virtue of his office, be general and commander in chief of all the militia, and admiral of the navy of this state; that he shall have power to convene the assembly and senate on extraordinary occasions, to prorogue them from time to time, provided such prorogations shall not exceed sixty days in the space of any one year; and at his discretion to grant reprieves and pardons to persons convicted of crimes, other than treason or murder, in which he may suspend the execution of the sentence, until it shall be reported to the legislature at their subsequent meeting; and they shall either par-

don, or direct the execution of the criminal, or grant a farther reprieve.

19. That it shall be the duty of the governor to inform the legislature, at every sessions, of the condition of the state, so far as may respect his department; to recommend such matters to their consideration as shall appear to him to concern its good government, welfare, and prosperity; to correspond with the continental congress, and other states; to transact all necessary business with the officers of government, civil and military; to take care that the laws are faithfully executed to the best of his ability; and to expedite all such measures as may be resolved upon by the legislature.

20. That a lieutenant-governor shall, at every election of a governor, and as often as the lieutenant-governor shall die, resign, or be removed from office, be elected in the same manner with the governor, to continue in office until the next election of a governor; and such lieutenant-governor shall, by virtue of his office, be president of the senate, and, upon an equal division, have a casting voice in their decisions, but not vote on any other occasion.

And in case of the impeachment of the governor, or his removal from office, death, resignation, or absence from the state, the lieutenant-governor shall exercise all the power and authority appertaining to the office of governor, until another be chosen, or the governor absent or impeached, shall return or be acquitted. Provided, that where the governor shall, with the consent of the legislature, be out of the state, in time of war, at the head of a military force thereof, he shall still continue in his command of all the military force of the state, both by sea and land.

21. That whenever the government shall be administered by the lieutenant-

lieutenant-governor, or he shall be unable to attend as president of the senate, the senators shall have power to elect one of their own members to the office of president of the senate, which he shall exercise *pro hac vice*. And if, during such vacancy of the office of governor, the lieutenant-governor shall be impeached, displaced, resign, die, or be absent from the state, the president of the senate shall in like manner as the lieutenant-governor, administer the government, until others shall be elected by the suffrage of the people, at the succeeding election.

22. And this convention doth further, in the name and by the authority of the good people of this state, ordain, determine, and declare, that the treasurer of this state shall be appointed by act of the legislature, to originate with the assembly: provided, that he shall not be elected out of either branch of the legislature.

23. That all officers, other than those, who by this constitution are directed to be otherwise appointed, shall be appointed in the manner following, to wit, The assembly shall once in every year, openly nominate and appoint one of the senators from each great district, which senators shall form a council for the appointment of the said officers, of which the governor for the time being, or the lieutenant-governor, or the president of the senate, when they shall respectively administer the government, shall be president, and have a casting voice, *but no other vote*, and with the advice and consent of the said council, shall appoint all the said officers; and that a majority of the said council be a quorum. And further, the said senators shall not be eligible to the said council for two years successively.

24. That all military officers be appointed during pleasure; that all commissioned officers, civil and military, be commissioned by the govern-

nor; and that the chancellor, the judges of the supreme court, and first judge of the county court in every county, hold their offices during good behaviour, or until they shall have respectively attained the age of sixty years.

25. That the chancellor and judges of the supreme court, shall not, at the same time, hold any other office, excepting that of delegate to the general congress, upon special occasions; and that the first judges of the county courts in the several counties, shall not at the same time hold any other office, excepting that of senator, or delegate to the general congress: But if the chancellor or either of the said judges be elected or appointed to any other office, excepting as before excepted, it shall be at his option in which to serve.

26. That Sheriffs and coroners be annually appointed; and that no person shall be capable of holding either of the said offices more than four years successively, nor the sheriff of holding any other office at the same time.

27. And be it further ordained, that the register and clerks in chancery be appointed by the chancellor; the clerks of the supreme court by the judges of the said court; the clerk of the court of probates by the judge of the said court; and the register and marshal of the court of Admiralty by the judge of the Admiralty. The said marshal, registers and clerks, to continue in office during the pleasure of those by whom they are to be appointed as aforesaid.

And all attorneys, solicitors, and counsellors at law, hereafter to be appointed, be appointed by the court, and licensed by the first judge of the court in which they shall respectively plead or practise; and be regulated by the rules and orders of the said courts.

28. And be it further ordained, that where by this convention the duration of any office shall not be ascertained, such office shall not be construed to be held during the pleasure of the council of appointment: provided that new commissions shall be issued to judges of the county courts (other than to the first judge) and to justices of the peace, once at the least in every three years.

29. That town clerks, supervisors, assessors, constables, and collectors, and all other officers heretofore eligible by the people, shall always continue to be so eligible, in the manner directed by the present or future acts of legislature.

The loan officers, country treasurers, and clerks of the supervisors, continue to be appointed in the manner directed by the present or future acts of the legislature.

30. That delegates to represent this state in the general congress of the United States of America, be annually appointed as follows, viz. to wit, The senate and assembly shall each openly nominate as many persons as shall be equal to the whole number of delegates to be appointed; after which nomination they shall meet together, and those persons named in both lists shall be delegates; and out of those persons whose names are not in both lists, one-half shall be chosen by the joint ballot of the senators and members of assembly, so met together as aforesaid.

31. That the style of all laws shall be as follows, to wit, "Be it enacted by the people of the state of New-York, represented by senate and assembly." And that all writs and other proceedings shall run in the name of *the people of the state of New-York*, and be tested in the name of the chancellor or chief judge of the court from whence they shall issue.

32. And this convention doth further, in the name and by the authority of the good people of this state, ordain, determine, and declare, that a court shall be instituted, for the trial of impeachments, and the correction of errors, under the regulations which shall be established by the legislature; and to consist of the president of the senate, for the time being, and the senators, chancellor, and judges of the supreme court, or the major part of them; except that when an impeachment shall be prosecuted against the chancellor, or either of the judges of the supreme court, the person so impeached shall be suspended from exercising the office until his acquittal: and in like manner, when an appeal from a decree in equity shall be heard, the chancellor shall inform the court of the reasons of his decree, but shall not have a voice in the final sentence. And if the cause to be determined shall be brought up by writ of error on a question of law, on a judgment in the supreme court, the judges of that court shall assign the reasons of such their judgment, but shall not have a voice for its affirmance or reversal.

33. That the power of impeaching all officers of the state, formal and corrupt conduct in their respective offices, be vested in the representatives of the people in assembly; but that it shall always be necessary that two-third parts of the members present shall consent to and agree in such impeachment. That previous to the trial of every impeachment, the members of the said court shall respectively be sworn, truly and impartially to try and determine the charge in question, according to evidence; and that no judgment of the said court shall be valid, unless it be assented to by two-third parts of the members then present; nor shall it extend farther than to removal from office, and disqualification to hold and

and enjoy any place of honour, trust, or profit, under this state. But the party so convicted, shall be, nevertheless, liable and subject to indictment, trial, judgment, and punishment, according to the laws of the land.

34. And it is further ordained, that in every trial on impeachment or indictment for crimes of misdemeanors, the party impeached or indicted shall be allowed counsel, as in civil actions.

35. And this convention doth further, in the name and by the authority of the good people of this state, ordain, determine, and declare, that such parts of the common law of England, and of the statute law of England and Great Britain, and of the acts of the legislature of the colony of New-York, as together did form the law of the said colony on the 19th day of April, in the year of our Lord one thousand seven hundred and seventy-five, shall be and continue the law of this state; subject to such alterations and provisions, as the legislature of this state shall, from time to time, make concerning the same. That such of the said acts as are temporary, shall expire at the times limited for their duration respectively. That all such parts of the said common law, and all such of the said statutes, and acts aforesaid, or parts thereof, as may be construed to establish or maintain any particular denomination of Christians or their ministers, or concern the allegiance heretofore yielded to, and the supremacy, sovereignty, government, or prerogatives, claimed or exercised by the King of Great Britain and his predecessors, over the colony of New-York and its inhabitants, or are repugnant to this constitution, be, and they hereby are, abrogated and rejected. And this convention doth further ordain, that the resolves or resolutions of the

congresses of the colony of New-York, and of the convention of the state of New-York, now in force, and not repugnant to the government established by this constitution, shall be considered as making part of the laws of this state; subject, nevertheless, to such alterations and provisions, as the legislature of this state may, from time to time, make concerning the same.

36. And be it further ordained, that all grants of land within this state, made by the King of Great Britain, or persons acting under his authority, after the fourteenth day of October, one thousand seven hundred and seventy-five, shall be null and void: but that nothing in this constitution contained, shall be construed to effect any grants of land, within this state, made by the authority of the said King or his predecessors, or to annul any characters to bodies politic, by him or them, or any of them, made prior to that day. And that none of the said charters shall be adjudged to be void, by reason of any non-user or mis-user of any of their respective rights or privileges, between the nineteenth day of April, in the year of our Lord one thousand seven hundred and seventy-five, and the publication of this constitution. And further, that all such of the officers described in the said charters, respectively, as by the terms of the said charters, were to be appointed by the Governor of the colony of New-York, with or without the advice and consent of the council of the said King, in the said colony, shall henceforth be appointed by the council established by this constitution, for the appointment of officers in this state, until otherwise directed by the legislature.

37. And whereas it is of great importance to the safety of this state, that peace and amity with the Indians



dians within the same, be at all times supported and maintained. And whereas, the frauds too often practised towards the said Indians, in contracts made for their lands, have in divers instances been productive of dangerous discontents and animosities; be it ordained, that no purchases or contracts for the sale of lands made since the fourteenth day of October, in the year of our Lord one thousand seven hundred and seventy-five, or which may hereafter be made with, or of the said Indians, within the limits of this state, shall be binding on the said Indians, or deemed valid, unless made under the authority, and with the consent of the legislature of this state.

38. And whereas we are required by the benevolent principles of rational liberty, not only to expel civil tyranny, but also to guard against that spiritual oppression and intolerance, wherewith the bigotry and ambition of weak and wicked priests and princes, have scourged mankind: This convention doth further, in the name and by the authority of the good people of this state, ordain, determine and declare, that the free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever hereafter be allowed within this state, to all mankind. Provided that the liberty of conscience hereby granted, shall not be construed, as to excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of this state.

39. And whereas the ministers of the gospel, are by their profession dedicated to the service of God and the cure of souls, and ought not to be diverted from the great duties of their function; therefore no minister of the gospel, or priest of any denomination whatsoever, shall at any time hereafter, under any pretence

or description whatever, be eligible to; or capable of holding any civil or military office or place, within this state.

40. And whereas it is of the utmost importance to the safety of every state, that it should always be in condition of defence; and it is the duty of every man, who enjoys the protection of society, to be prepared and willing to defend it; this convention, therefore, in the name and by the authority of the good people of this state, doth ordain, determine, and declare, that the militia of this state, at all times hereafter, as well in peace as in war, shall be armed and disciplined, and in readiness for service. That all such of the inhabitants of this state, being of the people called Quakers, from scruples of conscience, may be averse to the bearing of arms, be therefrom excused by the legislature; and do pay to the state, such sums of money in lieu of their personal service, as the same may, in the judgment of the legislature, be worth: And that a proper magazine of warlike stores, proportionate to the number of inhabitants, be, forever hereafter, at the expence of this state, and by acts of the legislature, established, maintained, and continued in every county in this state.

41. And this convention doth further ordain, determine, and declare, in the name and by the authority of the good people of this state, that trial by jury, in all cases in which it hath heretofore been used in the colony of New-York, shall be established, and remain inviolate forever. And that no acts of attainder shall be passed by the legislature of this state for crimes, other than those committed before the termination of the present war; and that such acts shall not work a corruption of blood. And further, that the legislature of of this state shall, at no time hereafter,

after, institute any new court or courts, but such as shall proceed according to the course of the common law.

42. And this convention doth further, in the name and by the authority of the good people of this state, ordain, determine, and declare, that it should be in the discretion of the legislature to naturalize all such persons, and in such a manner as they shall think proper; provided all such of the persons, so to be by them naturalized, as being born in parts beyond sea, and out of the United States of America, shall come to settle in, and become subjects of this state, shall take an oath of allegiance to this state, and abjure and renounce all allegiance and subjection to all and every foreign King, Prince, potentate, and state, in all matters ecclesiastical as well as civil.

By order.

LEONARD GANSEVOORT,  
*Pres. pro tem.*

**DECLARATION of RIGHTS and Fundamental Rules of the DELAWARE STATE, formerly styled the Government of the Counties of Newcastle, Kent, and Sussex, upon Delaware.**

1. That all government of right originates from the people, is founded in compact only, and instituted solely for the good of the whole.

2. That all men have a natural and unalienable right to worship Almighty God according to the dictates of their own conscience and understandings; and that no man ought, or of right can be compelled to attend any religious worship, or maintain any ministry, contrary to or against his own free will and consent, and that no authority can or ought to be vested in, or assumed by any power whatever, that shall in any case interfere with, or in any manner controul the right of con-

science, in the free exercise of religious worship.

3. That all persons professing the Christian religion, ought for ever to enjoy equal rights and privileges in this state, unless under colour of religion any man disturbs the peace, the happiness, or safety of society.

4. That the people of this state have the sole, exclusive, and inherent right of governing and regulating the internal police of the same.

5. That persons intrusted with the legislative and executive powers are the trustees and servants of the public, and as such accountable for their conduct; wherefore, whenever the ends of government are prevented, the public liberty manifestly endangered by the legislative singly, or a treacherous combination of both, the people may, and of right ought to establish a new, or reform the old government.

6. That the right in the people to participate in the legislature, is the foundation of liberty and of all free government, and for this end all elections ought to be free and frequent, and every freeman having sufficient evidence of a permanent common interest with, and attachment to the community, hath a right of suffrage.

7. That no power of suspending laws, or the execution of laws, ought to be exercised unless by the legislature.

8. That for redress of grievances, and for amending and strengthening of the laws, the legislature ought to be frequently convened.

9. That every man hath a right to petition the legislature for the redress of grievances, in a peaceable and orderly manner.

10. That every member of society hath a right to be protected in the enjoyment of life, liberty, and property, and therefore is bound to contribute his proportion towards the expence of that protection, and yield  
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his personal service when necessary, or an equivalent thereto; but no part of a man's property can be justly taken from him, or applied to public uses without his own consent, or that of his legal representatives: Nor can any man that is conscientiously scrupulous of bearing arms in any case, be justly compelled thereto, if he will pay such equivalent.

11. That retrospective laws punishing offences committed before the existence of such laws, are oppressive and unjust, and ought not to be made.

12. That every freeman, for every injury done him in his goods, lands, or person, by any other person, ought to have remedy by the course of the law of the land, and ought to have justice and right for the injury done to him, freely without sale, fully without any denial, and speedily without delay, according to the law of the land.

13. That trial by jury of facts where they arise, is one of the greatest securities of the lives, liberties, and estates of the people.

14. That in all prosecutions for criminal offences, every man hath a right to be informed of the accusation against him, to be allowed counsel, to be confronted with the accusers or witnesses, to examine evidence on oath in his favour, and to a speedy trial, by an impartial jury, without whose unanimous consent he ought not to be found guilty.

15. That no man in the courts of common law ought to be compelled to give evidence against himself.

16. That excessive bail ought not to be required, nor excessive fines imposed, nor cruel or unusual punishments inflicted.

17. That all warrants without oath to search suspected places, or to seize any person or his property, are grievous and oppressive; and all general warrants to search suspected

places, or to apprehend all persons suspected, without naming or describing the place or any person in special, are illegal, and ought not to be granted.

18. That a well regulated militia is the proper, natural, and safe defence of a free government.

19. That standing armies are dangerous to liberty, and ought not to be raised or kept up without the consent of the legislature.

20. That in all cases and at all times, the military ought to be under strict subordination to, and governed by the civil power.

21. That no soldier ought to be quartered in any house in time of peace, without the consent of the owner; and in time of war, in such manner only as the legislature shall direct.

22. That the independency and uprightnes of judges are essential to the impartial administration of justice, and a great security to the rights and liberties of the people.

23. That the liberty of the press ought to be inviolably preserved.

*The CONSTITUTION, or System of Government, agreed to and resolved upon by the Representatives in full CONVENTION of the DELAWARE STATE, formerly styled, the Government of the Counties of Newcastle, Kent, and Sussex, upon Delaware; the said Representatives being chosen by the Freemen of the said State for that express purpose.*

1. The government of the counties of Newcastle, Kent, and Sussex, upon Delaware, shall hereafter in all public and other writings be called, the Delaware State.

2. The legislature shall be formed of two distinct branches; they shall meet once or oftner in every year, and shall be called, the General Assembly of Delaware.

3. One of the branches of the legislature shall be called, the House of

of Assembly, and shall consist of seven representatives, to be chosen for each county annually, of such persons as are freeholders of the same.

4. The other branch shall be called the Council, and consist of nine members; three to be chosen for each county at the time of the first election of the assembly, who shall be freeholders of the county for which they are chosen, and be upwards of twenty-five years of age. At the end of one year after the general election, the councillor who had the smallest number of votes in each county shall be displaced, and the vacancies thereby occasioned supplied by the freemen of each county, choosing the same or another person at a new election in manner aforesaid. At the end of two years after the first general election, the councillor who stood second in number of votes in each county shall be displaced, and the vacancies thereby occasioned, supplied by a new election in manner aforesaid. And at the end of three years from the first general election, the councillor who had the greatest number of votes in each county shall be displaced, and the vacancies thereby occasioned, supplied by a new election in manner aforesaid. And this rotation of a councillor being displaced at the end of three years in each county, and his office supplied by a new choice, shall be continued afterwards in due order annually for ever, whereby, after the first general election, a councillor will remain in trust for three years from the time of his being elected, and a councillor will be displaced, and the same or another chosen in each county at every election.

5. The right of suffrage in the election of members for both houses shall remain as exercised by law at present; and each house shall choose its own speaker, appoint its own

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officers, judge of the qualifications and elections of its own members, settle its own rules of proceeding, and direct writs of election for supplying intermediate vacancies. They may also severely expel any of their own members for misbehaviour, but not a second time in the same sessions for the same offence, if re-elected; and they shall have all other powers necessary for the legislature of a free and independent state.

6. All money-bills for the support of government, shall originate in the House of Assembly, and may be altered, amended, or rejected by the legislative council. All other bills and ordinances may take rise in the House of Assembly, or legislative council, and may be altered, amended, or rejected by either.

7. A president or chief magistrate shall be chosen by joint ballot of both houses, to be taken in the House of Assembly, and the box examined by the speakers of each house in the presence of the other members; and in case the numbers for the two highest in votes should be equal, then the speaker of the council shall have an additional casting voice, and the appointment of the person who has the majority of votes, shall be entered at large on the minutes and journals of each house, and a copy thereof on parchment, certified and assigned by the speakers respectively, and sealed with the great seal of the state, which they are hereby authorised to affix, shall be delivered to the person so chosen president, who shall continue in that office three years, and until the sitting of the next General Assembly and no longer, nor be eligible until the expiration of three years after he shall have been out of that office. An adequate but moderate salary shall be settled on him during his continuance in office. He may draw for such sums of money as shall be appropriated by the General Assembly, and be accountable to

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them

them for the same; he may, by and with the advice of the Privy-Council, lay embargoes or prohibit the exportation of any commodity for any time not exceeding thirty days, in the recess of the General Assembly; he shall have the power of granting pardons or reprieves, except where the prosecution shall be carried on by the House of Assembly, or the law shall otherwise direct, in which cases no pardon or reprieve shall be granted, but by a resolve of the House of Assembly; and may exercise all the other executive powers of government, limited and restrained as by this constitution is mentioned, and according to the laws of the state. And on his death, inability, or absence from the state, the Speaker of the legislative council for the time being shall be Vice-President; and in case of his death, inability, or absence from the state, the Speaker of the House of Assembly shall have the powers of a President, until a new nomination is made by the General Assembly.

8. A Privy-Council consisting of four members shall be chosen by ballot, two by the Legislative-Council, and two by the House of Assembly: Provided, that no regular officer of the army or navy in the service and pay of the continent, or of this, or of any other state shall be eligible. And a member of the Legislative-Council or of the House of Assembly being chosen of the Privy-Council, and accepting thereof, shall thereby lose his seat. Three members shall be a quorum, and their advice and proceedings shall be entered on record, and signed by the members present, (to any part of which any member may enter his dissent) to be laid before the General Assembly, when called for by them. Two members shall be removed by ballot, one by the Legislative-Council, and one by the House of Assembly, at the end of two years, and those who

remain the next year after, who shall severally be ineligible for the three next years. These vacancies, as well as those occasioned by death or incapacity, shall be supplied by new elections in the same manner. And this rotation of a Privy-Councillor shall be continued afterwards in due order annually for ever. The President may, by summons, convene the Privy-Council at any time when the public exigencies may require, and at such place as he shall think most convenient, when and where they are to attend accordingly.

9. The President, with the advice and consent of the Privy-council, may embody the militia, and act as Captain-general and Commander in Chief of them, and the other military force of this state, under the laws of the same.

10. Either house of the General Assembly may adjourn themselves respectively. The President shall not prorogue, adjourn, or dissolve the General Assembly, but he may, with the advice of the Privy-council, or on the application of a majority of either house, call them before the time to which they shall stand adjourned; and the two houses shall always sit at the same time and place, for which purpose immediately after every adjournment, the speaker of the House of Assembly shall give notice to the speaker of the other house of the time to which the House of Assembly stands adjourned.

11. The delegates for Delaware to the Congress of the United States of America, shall be chosen annually, or superseded in the mean time, by joint ballot of both houses in the General Assembly.

12. The President and General Assembly shall, by joint ballot, appoint three justices of the Supreme Court for the State; one of whom shall be Chief-justice, and a Judge of Admiralty; and also four justices of the

the Courts of Common Pleas and Orphans Courts for each county, one of whom in each court shall be styled *Chief Justice* (and in case of division on the ballot, the President shall have an additional casting voice) to be commissioned by the President under the great seal, who shall continue in office during good behaviour; and during the time the justices of the said Supreme Courts and Courts of Common Pleas remain in office, they shall hold none other except in the militia; any one of the justices of either of said courts shall have power in case of the non-coming of his brethren, to open and adjourn the court. An adequate, fixed, but moderate salary shall be settled on them during their continuance in office. The President and Privy-Council shall appoint the Secretary, the Attorney-General, registers for the probate of wills, and granting letters of administration, registers in chancery, clerks of the courts of Common Pleas and Orphans Courts, and clerks of the peace, who shall be commissioned as aforesaid, and remain in office during five years, if they behave themselves well; during which time the said registers in chancery and clerks shall not be justices of either of the said courts of which they are officers, but they shall have authority to sign all writs by them issued, and take recognizances of bail. The justices of the peace shall be nominated by the House of Assembly, that is to say, They shall name twenty-four persons for each county, of whom the President, with the approbation of the Privy-Council, shall appoint twelve, who shall be commissioned as aforesaid, and continue in office during seven years, if they behave themselves well; and in case of vacancies, or if the legislature shall think proper to increase the number, they shall be nominated and appointed in like manner. The members of the Legislative and Privy

Councils shall be justices of the peace for the whole state, during their continuance in trust; and the justices of the Courts of Common-Pleas shall be conservators of the peace in their respective counties.

13. The justices of the Courts of Common-Pleas and Orphans Courts shall have the power of holding inferior Courts of Chancery as heretofore, unless the legislature shall otherwise direct.

14. The clerks of the Supreme Court shall be appointed by the chief justice thereof, and the recorders of deeds by the justices of the Courts of Common-Pleas for each county severally, and commissioned by the President under the great seal, and continue in office five years, if they behave themselves well.

15. The sheriffs and coroners of the respective counties shall be chosen annually as heretofore; and any person having served three years as sheriff, shall be ineligible for three years after; and the President and Privy-Council shall have the appointment of such of the two candidates returned for the said offices of sheriffs and coroners, as they shall think best qualified, in the same manner that the Governor heretofore enjoyed this power.

16. The General Assembly by joint ballot shall appoint the Generals and field officers, and all other officers in the army or navy of this state. And the President may appoint during pleasure, until otherwise directed by the legislature, all necessary civil officers not herein before-mentioned.

17. There shall be an appeal from the Supreme Court of Delaware in matters of law and equity, to a court of seven persons, to consist of the President for the time being, who shall preside therein, and six others, to be appointed, three by the Legislative Council, and three by the House of Assembly, who shall

continue in office during good behaviour, and be commissioned by the President under the great seal; which court shall be styled, *The Court of Appeals*, and have all the authority and powers heretofore given by law in the last resort to the King in Council, under the old government. The Secretary shall be the clerk of this court, and vacancies therein occasioned by death or incapacity, shall be supplied by new elections in manner aforesaid.

18. The justices of the Supreme Court and Courts of Common-Pleas, the members of the Privy-Council, the secretary, the trustees of the Loan-Office, and clerks of the Courts of Common-Pleas, during their continuance in office, and all persons concerned in any army or navy contracts, shall be ineligible to either House or Assembly; and any member of either house accepting of any other of the offices herein before-mentioned (excepting the office of a justice of the peace) shall have his seat thereby vacated, and a new election shall be ordered.

19. The Legislative Council and Assembly shall have the power of making the great seal of this state, which shall be kept by the President, or in his absence by the Vice-President, to be used by them as occasion may require. It shall be called, *The Great Seal of the Delaware State*, and shall be affixed to all laws and commissions.

20. Commissions shall run in the name of *The Delaware State*, and bear test by the President. Writs shall run in the same manner, and bear test in the name of the Chief Justice, or Justice first named in the commissions for the several courts, and be sealed with the public seals of such courts. Indictments shall conclude, *Against the peace and dignity of the state*.

21. In case of vacancy of the offices above directed to be filled by

the President and General Assembly, the President and Privy-Council may appoint others in their stead, until there shall be a new election.

22. Every person who shall be chosen a member of either house, or appointed to any office or place of trust, before taking his seat, or entering upon the execution of his office, shall take the following oath, or affirmation if conscientiously scrupulous of taking an oath, *to wit*,

"I, A. B. will bear true allegiance to the Delaware State, submit to its constitution and laws, and do no act wittingly, whereby the freedom thereof may be prejudiced."

And also make and subscribe the following declaration, *to wit*,

"I, A. B. do profess faith in God the Father, and in Jesus Christ his only Son, and the Holy Ghost, one God, blessed for evermore; and I do acknowledge the Holy Scriptures of the Old and New Testament to be given by divine inspiration."

And all officers shall also take an oath of office.

23. The President when he is out of office, and within eighteen months after, and all others, offending against the state, either by mal-administration, corruption, or other means, by which the safety of the commonwealth may be endangered, within eighteen months after the offence committed, shall be impeachable by the House of Assembly before the Legislative Council; such impeachment to be prosecuted by the Attorney-General, or such other person or persons as the House of Assembly may appoint, according to the laws of the land. If found guilty, he or they shall be either for ever disabled to hold any office under Government, or removed from office *pro tempore*, or subjected to such pains and penalties as the laws shall direct. And all officers shall be removed on conviction of misbehaviour at common law, or on impeachment,

impeachment, or upon the address of the General Assembly.

24. All acts of Assembly in force in this state on the fifteenth day of May last (and not hereby altered, or contrary to the resolutions of Congress, or of the late House of Assembly of this state) shall so continue until altered or repealed by the legislature of this state, unless where they are temporary, in which case they shall expire at the times respectively limited for their duration.

25. The common law of England, as well as so much of the statute law as have been heretofore adopted in practice in this state, shall remain in force, unless they shall be altered by a future law of the legislature; such parts only excepted as are repugnant to the rights and privileges contained in this constitution and the declaration of rights, &c. agreed to by this convention.

26. No person hereafter imported into this state from Africa ought to be held in slavery under any pretence whatever, and no negro, Indian, or mulatto slave, ought to be brought into this state for sale from any part of the world.

27. The first election for the General Assembly of this state shall be held on the twenty-first day of October next, at the court houses in the several counties, in the manner heretofore used in the election of the Assembly, except as to choice of inspectors and assessors, where assessors have not been chosen on the sixteenth day of September instant, which shall be made on the morning of the day of election, by the electors, inhabitants of the respective hundreds in each county; at which time the sheriffs and coroners for the said counties respectively are to be elected; and the present sheriffs of the counties of Newcastle and Kent may be re-chosen to that office until the first day of October, in the year of our Lord one thousand seven hundred

and seventy-nine, and the present sheriff for the county of Sussex may be re-chosen to that office until the first day of October, in the year of our Lord one thousand seven hundred and seventy-eight, provided the freemen think proper to re-elect them at every general election; and the present sheriffs and coroners respectively shall continue to exercise their offices as heretofore, until the sheriffs and coroners to be elected on the said twenty-first day of October shall be commissioned and sworn into office. The members of the Legislative Council and Assembly shall meet for transacting the business of the state on the twenty-eighth day of October next, and continue in office until the first day of October, which will be in the year one thousand seven hundred and seventy-seven; on which day, and on the first day of October in each year forever after, the legislative council, assembly, sheriffs, and coroners, shall be chosen by ballot in manner directed by the several laws of this state, for regulating elections of members of assembly, and sheriffs and coroners; and the General Assembly shall meet on the twentieth day of the same month, for transacting the business of the state; and if any of the said first and twentieth days of October should be Sunday, then, and in such case, the elections shall be held and the General Assembly meet the next day following.

28. To prevent any violence or force being used at the said elections, no persons shall come armed to any of them; and no muster of the militia shall be made on that day, nor shall any battalion or company give in their votes immediately succeeding each other, if any other voter who offers to vote objects thereto; nor shall any battalion or company in the pay of the continent, or of this or any other state, be suffered to remain at the time and place of holding



holding the said elections, nor within one mile of the said places respectively, for twenty-four hours before the opening said elections, nor within twenty-four hours after the same are closed, so as in any manner to impede the freely and conveniently carrying on the said election: Provided always, that every elector may in a peaceable and orderly manner give in his vote on the said day of election.

29. There shall be no establishment of any one religious sect in this state in preference to another; and no clergyman or preacher of the gospel of any denomination shall be capable of holding any civil office in this state, or of being a member of either of the branches of the legislature, while they continue in the exercise of their pastoral function.

30. No article of the declaration of rights and fundamental rules of this state, agreed to by this Convention, nor the first, second, fifth (except that part thereof that relates to the right of suffrage), twenty-sixth and twenty-ninth articles of this constitution, ought ever to be violated on any pretence whatever. No other part of this constitution shall be altered, changed or diminished, without the consent of five parts in seven of the Assembly, and seven members of the legislative council.

*Friday, September 20, 1776.*

*A DECLARATION of RIGHTS, and the CONSTITUTION and FORM of GOVERNMENT agreed to by the DELEGATES of MARYLAND, in free and full CONVENTION assembled.*

*A DECLARATION of RIGHTS, &c.*

The Parliament of Great Britain, by a declaratory act, having assumed a right to make laws to bind the colonies in all cases whatsoever, and in pursuance of such claim en-

deavoured by force of arms to subjugate the United Colonies to an unconditional submission to their will and power; and having at length constrained them to declare themselves Independent States, and to assume government under the authority of the people: Therefore, we, the delegates of Maryland, in free and full convention assembled, taking into our most serious consideration the best means of establishing a good constitution in this state, for the sure foundation and more permanent security thereof, declare,

1. That all government of right originates from the people, is founded in compact only, and instituted solely for the good of the whole.

2. That the people of this state ought to have the sole and exclusive right of regulating the internal government and police thereof.

3. That the inhabitants of Maryland are entitled to the common law of England, and the trial by jury according to the course of that law, and to the benefit of such of the English statutes as existed at the time of their first emigration, and which by experience have been found applicable to their local and other circumstances, and of such others as have been since made in England, or Great-Britain, and have been introduced, used, and practised, by the courts of law or equity; and also to all acts of Assembly in force on the first of June, seventeen hundred and seventy-four, except such as may have since expired, or have been, or may be altered by acts of Convention, or this Declaration of Rights, subject nevertheless to the revision of, and amendment or repeal by, the legislature of this state; and the inhabitants of Maryland are also entitled to all property derived to them from or under the charter granted by his Majesty Charles II. to Cæcilius Calvert, baron of Baltimore.

4. That

4. That all persons invested with the legislative or executive powers of government are the trustees of the public, and as such accountable for their conduct; wherefore, whenever the ends of government are perverted, and public liberty manifestly endangered, and all other means of redress are ineffectual, the people may, and of right ought to reform the old or establish a new government; the doctrine of non-resistance against arbitrary power and oppression is absurd, slavish, and destructive of the good and happiness of mankind.

5. That the right in the people to participate in the legislature is the best security of liberty, and the foundation of all free government; for this purpose, elections ought to be free and frequent, and every man having property in, a common interest with, and attachment to the community, ought to have a right of suffrage.

6. That the legislative, executive, and judicial powers of government, ought to be forever separate and distinct from each other.

7. That no power of suspending laws, or the execution of laws, unless by, or derived from the legislature, ought to be exercised or allowed.

8. That freedom of speech and debates, or proceedings in the legislature, ought not to be impeached in any other court of judicature.

9. That a place for the meeting of the legislature ought to be fixed, the most convenient to the members thereof, and to the depository of public records, and the legislature ought not to be convened or held at any other place, but from evident necessity.

10. That for redress of grievances, and for amending, strengthening and preserving the laws, the legislative ought to be frequently convened.

11. That every man hath a right to petition the legislature for the redress of grievances, in a peaceable and orderly manner.

12. That no aid, charge, tax, fee or fees, ought to be set, rated, or levied, under any pretence, without consent of the legislature.

13. That the levying taxes by the poll is grievous and oppressive, and ought to be abolished; that paupers ought not to be assessed for the support of government, but every other person in the state ought to contribute his proportion of public taxes for the support of government, according to his actual worth in real or personal property within the state; yet fines, duties, or taxes, may properly and justly be imposed or laid with a political view for the good government and benefit of the community.

14. That sanguinary laws ought to be avoided, as far as is consistent with the safety of the state; and no law to inflict cruel and unusual pains and penalties ought to be made in any case, or at any time hereafter.

15. That retrospective laws, punishing facts committed before the existence of such laws, and by them only declared criminal, are oppressive, unjust, and incompatible with liberty, wherefore no *ex post facto* law ought to be made.

16. That no law to attain particular persons of treason or felony ought to be made in any case, or any time hereafter.

17. That every freeman, for any injury done him in his person or property, ought to have remedy by the course of the law of the land, and ought to have justice and right, freely without sale, fully without any denial, and speedily without delay, according to the law of the land.

18. That the trial of facts where they arise, is one of the greatest securities

erties of the lives, liberties, and estates of the people.

19. That in all criminal prosecutions, every man hath a right to be informed of the accusation against him, to have a copy of the indictment or charge in due time (if required) to prepare for his defence, to be allowed counsel, to be confronted with the witnesses against him, to have process for his witnesses, to examine the witnesses for and against him on oath, and to a speedy trial by an impartial jury, without whose unanimous consent he ought not to be found guilty.

20. That no man ought to be compelled to give evidence against himself in a court of common law, or in any other court, but in such cases as have been usually practised in this state, or may hereafter be directed by the legislature.

21. That no freeman ought to be taken or imprisoned, or disseised of his freehold, liberties, or privileges, or outlawed, or exiled, or in any manner destroyed, or deprived of his life, liberty, or property, but by the judgment of his peers, or by the law of the land.

22. That excessive bail ought not to be required, nor excessive fines imposed, nor cruel or unusual punishments inflicted by the courts of law.

23. That all warrants without oath or affirmation, to search suspected places, or to seize any person or property, are grievous and oppressive; and all general warrants to search suspected places, or to apprehend suspected persons, without naming or describing the place, or the person in special, are illegal, and ought not to be granted.

24. That there ought to be no forfeiture of any part of the estate of any person for any crime, except murder, or treason against the state, and then only on conviction and attainder.

25. That a well regulated militia is the proper and natural defence of a free government.

26. That standing armies are dangerous to liberty, and ought not be raised or kept without consent of the legislature.

27. That in all cases and at all times the military ought to be under strict subordination to, and controul of the civil power.

28. That no soldier ought to be quartered in any house in time of peace, without the consent of the owner; and in time of war, in such manner only as the legislature shall direct.

29. That no person, except regular soldiers, mariners, and marines in the service of this state, or militia when in actual service, ought in any case to be subject to, or punishable by, martial law.

30. That the independency and uprightness of judges are essential to the impartial administration of justice, and a great security to the rights and liberties of the people; wherefore the chancellor and judges ought to hold commissions during good behaviour, and the said chancellor and judges shall be removed for misbehaviour, on conviction in a court of law, and may be removed by the Governor upon the address of the General Assembly, provided that two-thirds of all the members of each house concur in such address. That salaries, liberal but not profuse, ought to be secured to the chancellor and the judges during the continuance of their commissions, in such manner and at such times as the legislature shall hereafter direct, upon consideration of the circumstances of this state: No chancellor or judge ought to hold any other office, civil or military, or receive fees or perquisites of any kind.

31. That

31. That a long continuance in the first executive departments of power or trust is dangerous to liberty; a rotation therefore in those departments, is one of the best securities of permanent freedom.

32. That no person ought to hold at the same time more than one office of profit, nor ought any person in public trust to receive any present from any foreign prince or state, or from the united states, or any of them, without the approbation of this state.

33. That as it is the duty of every man to worship God in such manner as he thinks most acceptable to him, all persons professing the Christian religion are equally entitled to protection in their religious liberty; wherefore no person ought by any law to be molested in his person or estate, on account of his religious persuasion or profession, or for his religious practice, unless under colour of religion, any man shall disturb the good order, peace, or safety of the state, or shall infringe the laws of morality, or injure others in their natural, civil, or religious rights; nor ought any person to be compelled to frequent or maintain, or contribute, unless on contract, to maintain any particular place of worship, or any particular ministry; yet the legislature may in their discretion lay a general and equal tax for the support of the Christian religion; leaving to each individual the power of appointing the payment over of the money collected from him, to the support of any particular place of worship or minister; or for the benefit of the poor of his own denomination, or the poor in general of any particular county; but the churches, chapels, glebes, and all other property now belonging to the church of England, ought to remain to the church of England for ever. And all acts of assembly lately passed for collecting monies for building or

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repairing particular churches or chapels of ease, shall continue in force and be executed, unless the legislature shall by act supersede or repeal the same; but no county court shall assess any quantity of tobacco or sum of money hereafter, on the application of any vestry-men or churchwardens; and every incumbent of the church of England, who hath remained in his parish, and performed his duty, shall be entitled to receive the provision and support established by the act, entitled, "An act for the support of the clergy of the church of England in this province," till the November court of this present year, to be held for the county in which his parish shall lie, or partly lie, or for such time as he hath remained in his parish and performed his duty.

34. That every gift, sale, or devise of lands to any minister, public teacher or preacher of the gospel, as such, or to any religious sect, order, or denomination, or to, or for the support, use, or benefit of, or in trust for, any minister, public teacher, or preacher of the gospel, as such, or any religious sect, order, or denomination; and every gift or sale of goods or chattels to go in succession, or to take place after the death of the seller or donor, or to or for such support, use, or benefit; and also every devise of goods or chattels to, or for the support, use, or benefit of any minister, public teacher, or preacher of the gospel, as such, or any religious sect, order, or denomination, without the leave of the legislature, shall be void; except always any sale, gift, lease, or devise of any quantity of land not exceeding two acres, for a church, meeting, or other house of worship, and for a burying ground, which shall be improved, enjoyed, or used only for such purpose, or such sale, gift, lease, or devise, shall be void.

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35. That

35. That no other test or qualification ought to be required on admission to any office of trust or profit, than such oath of support and fidelity to this state, and such oath of office as shall be directed by this convention, or the legislature of this state, and a declaration of a belief in the Christian religion.

36. That the manner of administering an oath to any person, ought to be such as those of the religious persuasion, profession, or denomination, of which such person is one, generally esteem the most effectual confirmation by the attestation of the Divine Being. And that the people called Quakers, those called Dunkers, and those called Menonists, holding it unlawful to take an oath on any occasion, ought to be allowed to make their solemn affirmation in the manner that Quakers have been heretofore allowed to affirm, and to be of the same avail as an oath in all such cases, as the affirmation of Quakers hath been allowed and accepted within this state, instead of an oath. And further, on such affirmation, warrants to search for stolen goods, or for the apprehension or commitment of offenders, ought to be granted, or security for the peace awarded, and Quakers, Dunkers, or Menonists, ought also on their solemn affirmation as aforesaid, to be admitted as witnesses in all criminal cases not capital.

37. That the city of Annapolis ought to have all its rights, privileges, and benefits agreeable to its charter, and the acts of assembly confirming and regulating the same, subject nevertheless to such alterations as may be made by this convention or any future legislation.

38. That the liberty of the press ought to be inviolably preserved.

39. That monopolies are odious, contrary to the spirit of a free government, and the principles of

commerce, and ought not be suffered.

40. That no title of nobility or hereditary honours ought to be granted in this state.

41. That the subsisting resolves of this and the several conventions held for this colony, ought to be in force as laws, unless altered by this convention or the legislature of this state.

42. That this declaration of rights, or the form of government to be established by this convention, or any part of either of them, ought not to be altered, changed, or abolished by the legislature of this state, but in such manner as this convention shall prescribe and direct.

This declaration of rights was assented to and passed in Convention of the delegates of the freemen of Maryland, begun and held at Annapolis, the 14th day of August, A. D. 1776.

By order of the Convention,

MAT. TILGHMAN, President.

The first part of the constitution of Maryland, is printed in the year 1777, page 245, the following or remaining part of the said constitution was published afterwards.

28. That the senators and delegates, immediately on their annual meeting, and before they proceed to any business, and every person hereafter elected a senator or delegate, before he acts as such, shall take an oath of support and fidelity to this state as aforesaid; and before the election of a governor, or members of the council, shall take an oath, "to elect without favour, affection, partiality, or prejudice, such person as governor, or member of the council, as they in their judgment and conscience believe best qualified for the office."

29. That the senate and delegates may adjourn themselves respectively: but

but if the two houses should not agree on the same time, but adjourn to different days, then shall the governor appoint and notify one of those days or some days between, and the assembly shall then meet and be held accordingly; and he shall, if necessary, by advice of the council, call them before the time to which they shall in any manner be adjourned, on giving not less than ten days notice thereof, but the governor shall not adjourn the assembly otherwise than as aforesaid, nor prorogue or dissolve it at any time.

30. That no person, unless above twenty-five years of age, a resident in this state above five years next preceding the election, and having in the state real and personal property above the value of five thousand pounds current money, one thousand pounds whereof to be freehold estate, shall be eligible as governor.

31. That the governor shall not continue in that office longer than three years successively, nor be eligible as governor until the expiration of four years after he shall have been out of that office.

32. That upon the death, resignation, or removal out of this state of the governor, the first named of the council, for the time being, shall act as governor, and qualify in the same manner, and shall immediately call a meeting of the General Assembly, giving not less than fourteen days notice of the meeting, at which meeting a governor shall be appointed, in manner aforesaid, for the residue of the year.

33. That the governor, by and with the advice and consent of the council, may embody the militia, and when embodied shall alone have the direction thereof, and shall also have the direction of all the regular land and sea forces under the laws of this state; but he shall not command in person, unless advised thereto by the council, and then only

so long as they shall approve thereof; and may alone exercise all other the executive powers of government, where the concurrence of the council is not required, according to the laws of this state, and grant reprieves or pardons for any crime, except in such cases where the law shall otherwise direct; and may, during the recess of the General Assembly, lay embargoes to prevent the departure of any shipping, or the exportation of any commodities, for any time not exceeding thirty days in any one year, summoning the General Assembly to meet within the time of the continuance of such embargo; and may also order and compel any vessel to ride quarantine, if such vessel, or the port from which she may have come, shall, on strong grounds, be suspected to be infected with the plague; but the governor shall not, under any pretence, exercise any power or prerogative by virtue of any law, statute, or custom, of England or Great-Britain.

34. That the members of the council, or any three or more of them, when convened, shall constitute a board for the transacting of business; that the governor for the time being shall preside in the council, and be entitled to a vote on all questions in which the council shall be divided in opinion; and in the absence of the governor, the first named of the council shall preside, and as such shall also vote in all cases where the other members disagree in their opinion.

35. That in case of refusal, death, resignation, disqualification, or removal out of the state, of any person chosen a member of the council, the members thereof, immediately thereupon, or at their next meeting hereafter, shall elect by ballot, another person qualified as aforesaid in his place, for the residue of the year.

36. That the council shall have power to make the great seal of this state, which shall be kept by the Chancellor for the time being, and affixed to all laws, commissions, grants, and other public testimonials, as has been heretofore practised in this state.

37. That no senator, delegate of assembly, or member of the council, if he shall qualify as such, shall hold or execute any office of profit, or receive the profits of any office exercised by any other person, during the time for which he shall be elected; nor shall any governor be capable of holding any other office of profit in this state, while he acts as such; and no person holding a place of profit, or receiving any part of the profits thereof, or receiving the profits or any parts of the profits arising on any agency for the supply of cloathing or provisions for the army or navy, or holding any office under the United States, or any of them, or a minister or preacher of the gospel of any denomination, or any person employed in the regular land service, or marine, of this or the United States, shall have a seat in the General Assembly, or the Council of this state.

38. That every governor, senator, delegate of Congress, or Assembly, and member of the council, before he acts as such, shall take an oath, "That he will not receive, directly or indirectly, at any time, any part of the profits of any office held by any other person during his acting in his office of governor, senator, delegate to Congress, or Assembly, or member of the council, or the profits, or any part of the profits, arising on any agency, for the supply of cloathing or provisions for the army or navy."

39. That if any senator, delegate to Congress or Assembly, or member of the council, shall hold or execute any office of profit, or receive, di-

rectly or indirectly, at any time, the profits, or any part of the profits, of any office exercised by any other person, during his acting as senator, delegate to Congress or Assembly, or member of the council, his seat, on conviction in a court of law, by the oath of two credible witnesses, shall be void, and he shall suffer the punishment for wilful and corrupt perjury, or be banished this state for ever, or disqualified for ever from holding any office or place of trust or profit, as the court may judge.

40. That the chancellor, all judges, the attorney-general, clerks of the general court, the clerks of the county courts, the registers of the land office, and the registers of wills, shall hold their commissions during good behaviour, removable only for misbehaviour, on conviction in a court of law.

41. That there be a register of wills appointed for each county, who shall be commissioned by the governor, on the joint recommendation of the senate and house of delegates; and that upon the death, resignation, disqualification, or removal out of the county, by any register of wills, in the recess of the General Assembly, the governor, with the advice of the council, may appoint and commission a fit and proper person to such vacant office, to hold the same until the meeting of the General Assembly.

42. That sheriffs shall be elected in each county, by ballot, every third year, that is to say, two persons for the office of sheriff for each county, the one of whom having the majority of votes, or if both have an equal number, either of them, at the discretion of the governor, to be commissioned by the governor for the said office, and having served for three years, such person shall be ineligible for the four years next succeeding, bond with security to be

be taken every year as usual, and no sheriff shall be qualified to act before the same is given. In case of death, refusal, resignation, disqualification, or removal out of the county, before the expiration of the three years, the other person, chosen as aforesaid, shall be commissioned by the governor to execute the said office for the residue of the said three years, the said person giving bond with security as aforesaid; and in case of his death, refusal, resignation, disqualification, or removal out of the county, before the expiration of the said three years, the governor, with the advice of the council, may nominate and commission a fit and proper person to execute the said office for the residue of the said three years, the said person giving bond and security as aforesaid; the election shall be held at the same time and place appointed for the election of delegates, and the justices there summoned to attend for the preservation of the peace, shall be judges thereof, and of the qualification of candidates, who shall appoint a clerk to take the ballots: all freemen above the age of twenty-one years, having a freehold of fifty acres of land, in the county in which they offer to ballot, and residing therein, and all freemen above the age of twenty-one years, and having property in the state above the value of thirty pounds current money, and having resided in the county in which they offer to ballot, one whole year next preceding the election, shall have a right of suffrage; no person to be eligible to the office of sheriff for a county, but an inhabitant of the said county, above the age of twenty-one years, and having real and personal property in the state above the value of one thousand pounds current money: the justices aforesaid shall examine the ballots, and the two

candidates properly qualified, having in each county the majority of legal ballots, shall be declared duly elected for the office of sheriff for such county, and returned to the governor and council, with a certificate of the number of ballots for each of them.

43. That every person who shall offer to vote for delegates, or for the election of the senate, or for the sheriff, shall (if required by any three persons qualified to vote) before he be admitted to poll, take such oath or affirmation of support and fidelity to this state, as this convention or the legislature shall direct.

44. That a justice of the peace may be eligible as a senator, delegate, or member of the council, and may continue to act as a justice of the peace.

45. That no field officer of the militia be eligible as a senator, delegate, or member of the council.

46. That all civil officers hereafter to be appointed for the several counties of this state, shall have been residents of the county respectively for which they shall be appointed, six months next before their appointment, and shall continue residents of their county respectively, during their continuance in office.

47. That the judges of the general court, and justices of the county courts, may appoint the clerks of their respective courts, and in case of refusal, death, resignation, disqualification, or removal out of the county, of any the said county clerks in the vacation of the county court of which he is clerk, the governor, with the advice of the council, may appoint and commission a fit and proper person to such vacant office respectively, to hold the same until the meeting of the next general court, or county court, as the case may be.

48. That



48. That the governor for the time being, with the advice and consent of the council, may appoint the chancellor, and all judges and justices, the attorney-general, naval officers, officers in the regular land and sea service, officers of the militia, registers of the land office, surveyors, and all other civil officers of government (assessors, constables and overseers of the roads only excepted), and may also suspend or remove any civil officer who has not a commission during good behaviour, and may suspend any militia officer for one month, and may also suspend or remove any regular officer in the land or sea service; and the governor may remove or suspend any militia officer in pursuance of the judgment of a court-martial.

49. That all civil officers of the appointment of the governor and council, who do not hold commissions during good behaviour, shall be appointed annually in the third week of November; but if any of them shall be re-appointed, they may continue to act without any new commission or qualification; and every officer, though not re-appointed, shall continue to act until the person who shall be appointed and commissioned in his stead shall be qualified.

50. That the governor, every member of the council, and every judge and justice, before they act as such, shall respectively take an oath, "That he will not, through favour, affection, or partiality, vote for any person to office, and that he will vote for such person as in his judgment and conscience he believes most fit and best qualified for the office, and that he has not made, nor will make, any promise or engagement to give his vote or interest in favour of any person."

51. That there be two registers of the land office, one upon the western, and one upon the eastern shore;

that short extracts of the grants and certificates of the land on the western and eastern shores respectively be made in separate books, at the public expence, and deposited in the offices of the said registers in such a manner as shall hereafter be provided by the general assembly.

52. That every chancellor, judge, register of wills, commissioner of the loan office, attorney-general, sheriff, treasurer, naval officer, register of the land office, register of the chancery court, and every clerk of the common law court, surveyor, and auditor of the public accounts, before he acts as such, shall take an oath, "That he will not directly, or indirectly, receive any fee or reward for doing his office of

but what is or shall be allowed by law, nor will directly or indirectly receive the profits or any part of the profits of any office held by any other person, and that he does not hold the same office in trust or for the benefit of any other person."

53. That if any governor, chancellor, judge, register of wills, attorney-general, register of the land office, register of the chancery court, or any clerk of the common law courts, treasurer, naval officer, sheriff, surveyor, or auditor of public accounts, shall receive directly or indirectly, at any time, the profits or any part of the profits of any office held by any other person during his acting in the office to which he is appointed, his election, appointment, and commission, on conviction in a court of law, by oath of two credible witnesses, shall be void, and he shall suffer the punishment for wilful and corrupt perjury, or be banished this state for ever; or disqualified for ever from holding any office or place of trust or profit, as the court may adjudge.

54. That if any person shall give any bribe, present, or reward, or

any

any promise, or any security for the payment or delivery of any money, or any other thing, to obtain or procure a vote to be Governor, Senator, Delegate to Congress or Assembly, member of the Council, or Judge, or to be appointed to any of the said offices, or to any office of profit or trust, now created or hereafter to be created in this state, the person giving, and the person receiving the same, on conviction in a court of law, shall be for ever disqualified to hold any office of trust or profit in this state.

55. That every person appointed to any office of profit or trust shall, before he enters on the execution thereof, take the following oath, to wit, "I, A. B. do swear, That I do not hold myself bound in allegiance to the King of Great-Britain, and that I will be faithful, and bear true allegiance to the state of Maryland," and shall also subscribe a declaration of his belief in the Christian religion.

56. That there be a court of appeals, composed of persons of integrity and sound judgment in the law, whose judgment shall be final and conclusive in all cases of appeal, from the General Court, Court of Chancery, and Court of Admiralty: That one person of integrity and sound judgment in the law, be appointed Chancellor: That three persons of integrity and sound judgment in the law be appointed Judges of the court now called the Provincial Court; and that the same court be hereafter called and known by the name of *The General Court*; which court shall sit on the western and eastern shores for transacting and determining the business of the respective shores, at such times and places as the future legislature of this state shall direct and appoint.

57. That the style of all laws run thus, *Be it enacted, by the General Assembly of Maryland*: That all pub-

lic commissions and grants run thus, *The state of Maryland, &c.* and shall be signed by the Governor, and attested by the Chancellor with the seal of the state annexed, except military commissions, which shall not be attested by the Chancellor, or have the seal of the state annexed: That all writs shall run in the same style, and be tested, sealed and signed as usual: That all indictments shall conclude, *Against the peace, government, and dignity of the state.*

58. That all penalties and forfeitures, heretofore going to the King or proprietary, shall go to the state, save only such as the General Assembly may abolish or otherwise provide for.

59. That this form of government, and the Declaration of Rights, and no part thereof, shall be altered, changed, or abolished, unless a bill so to alter, change, or abolish the same, shall pass the General Assembly, and be published at least three months before a new election, and shall be confirmed by the General Assembly after a new election of delegates, in the first session after such new election; provided that nothing in this form of government which relates to the eastern shore particularly, shall at any time hereafter be altered, unless for the alteration and confirmation thereof at least two thirds of all the members of each branch of the General Assembly shall concur.

60. That every bill passed by the General Assembly, when engrossed, shall be presented by the Speaker of the House or Delegates, in the senate, to the Governor for the time being, who shall sign the same, and thereto affix the great seal, in the presence of the members of both houses: every law shall be recorded in the General-Court office of the western shore, and in due time printed, published, and certified under the great seal, to the several county

county courts, in the same manner as hath been heretofore used in this state.

This form of government was assented to, and passed in convention of the delegates of the freemen of Maryland, begun and held at the city of Annapolis, the 14th of August, A. D. 1776.

By order of the Convention,  
M. TILGHMAN, President.

*The CONSTITUTION, or FORM of GOVERNMENT; agreed to and resolved upon by the Representatives of the Freemen of the State of NORTH-CAROLINA, elected and chosen for that particular Purpose, in CONGRESS assembled, at Halifax, December 18, 1776.*

A DECLARATION of RIGHTS, &c.

1. That all political power is vested in, and derived from, the people only.

2. That the people of this state ought to have the sole and exclusive right of regulating the internal government and police thereof.

3. That no man, or set of men, are entitled to exclusive or separate emoluments or privileges from the community, but in consideration of public services.

4. That the legislative, executive, and supreme judicial powers of government ought to be for ever separate and distinct from each other.

5. That all powers of suspending laws, or the execution of laws by any authority, without consent of the representatives of the people, is injurious to their rights, and ought not to be exercised.

6. That elections of members to serve as representatives in General Assembly ought to be free.

7. That in all criminal prosecutions every man has a right to be informed of the accusation against him, and to confront the accusers and witnesses with other testimony,

and shall not be compelled to give evidence against himself.

8. That no freeman shall be put to answer any criminal charge but by indictment, presentment, or impeachment.

9. That no freeman shall be convicted of any crime, but by the unanimous verdict of a jury of good and lawful men, in open court as heretofore used.

10. That excessive bail should not be required, nor excessive fines imposed, nor cruel or unusual punishments inflicted.

11. That general warrants whereby an officer or messenger may be commanded to search suspected places without evidence of the fact committed, or to seize any person or persons not named, whose offences are not particularly described and supported by evidence, are dangerous to liberty, and ought not to be granted.

12. That no freeman ought to be taken, imprisoned, or dis seized of his freehold, liberties or privileges, or outlawed or exiled, or in any manner destroyed or deprived of his life, liberty, or property, but by the law of the land.

13. That every freeman restrained of his liberty, is intitled to a remedy, to enquire into the lawfulness thereof, and to remove the same if unlawful, and that such remedy ought not to be denied or delayed.

14. That in all controversies at law respecting property, the ancient mode of trial by jury is one of the best securities of the rights of the people, and ought to remain sacred and inviolable.

15. That the freedom of the press is one of the great bulwarks of liberty, and therefore ought never to be restrained.

16. That the people of this state ought not to be taxed, or made subject to the payment of any impost or duty,

duty, without the consent of themselves, or their representatives in General Assembly freely given.

17. That the people have a right to bear arms for the defence of the state; and as standing armies in time of peace are dangerous to liberty, they ought not to be kept up; and that the military should be kept under strict subordination to, and governed by the civil power.

18. That the people have a right to assemble together, to consult for their common good, to instruct their representatives, and to apply to the legislature for redress of grievances.

19. That all men have a natural and unalienable right to worship Almighty God according to the dictates of their own conscience.

20. That for redress of grievances and for amending and strengthening the laws, elections ought to be often held.

21. That a frequent recurrence to fundamental principles is absolutely necessary to preserve the blessings of liberty.

22. That no hereditary emoluments, privileges, or honours, ought to be granted or conferred in this state.

23. That perpetuities and monopolies are contrary to the genius of a free state, and ought not to be allowed.

24. That retrospective laws, punishing facts committed before the existence of such laws, and by them only declared criminal, are oppressive, unjust, and incompatible with liberty, wherefore no *ex post facto* law ought to be made.

25. The property of the soil in a free government being one of the essential rights of the collective body of the people, it is necessary, in order to avoid future disputes, that the limits of the state should be ascertained with precision; and as the former temporary line between North and South Carolina was confirmed

and extended by commissioners, appointed by the legislatures of the two states, agreeable to the order of the late King George II. in Council, that line, and that only, should be esteemed the southern boundary of this state; that is to say, beginning on the sea-side at a cedar stake, at or near the mouth of Little River (being the southern extremity of Brunswick county), and running from thence a north-west course through the boundary house, which stands in thirty-three degrees fifty-six minutes, to thirty-five degrees north latitude, and from thence a west course, so far as is mentioned in the charter of King Charles II. to the late proprietors of Carolina. Therefore all the territory, seas, waters, and harbours, with their appurtenances, lying between the line above described, and the southern line of the state of Virginia, which begins on the sea shore, in thirty-six degrees thirty minutes north latitude, and from thence runs west, agreeable to the said charter of King Charles, are the right and property of the people of this state, to be held by them in sovereignty; any partial line, without the consent of the legislature of this state, at any time thereafter directed or laid out in any wise notwithstanding. *Provided always*, That this declaration of right shall not prejudice any nation or nations of Indians from enjoying such hunting grounds as may have been, or hereafter shall be secured to them by any former or future legislature of this state. *And provided also*, That it shall not be construed so as to prevent the establishment of one or more governments westward of this state, by consent of the legislature. *And provided further*, That nothing herein contained shall affect the titles or possessions of individuals, holding or claiming under the laws heretofore in force, or grants heretofore made by the late

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King George II. or his predecessors, or the late lords proprietors, or any of them.

*The CONSTITUTION, or FORM of GOVERNMENT, &c.*

Whereas allegiance and protection are in their nature reciprocal, and the one should of right be refused when the other is withdrawn; and whereas George the Third, King of Great Britain, and late Sovereign of the British American Colonies, hath not only withdrawn from them his protection, but by an act of the British legislature, declared the inhabitants of these states out of the protection of the British crown, and all their property found upon the high seas liable to be seized and confiscated to the uses mentioned in the said act; and the said George the Third has also sent fleets and armies to prosecute a cruel war against them, for the purpose of reducing the inhabitants of the said Colonies to a state of abject slavery; in consequence whereof, all government under the said King, within the said Colonies, hath ceased, and a total dissolution of government in many of them hath taken place: And whereas the Continental Congress, having considered the premises, and other previous violations of the rights of the good people of America, have therefore declared, that the Thirteen United Colonies are of right wholly absolved from all allegiance to the British crown, or any other foreign jurisdiction whatsoever; and that the said Colonies now are, and for ever shall be, free and independent states: Wherefore, in our present state, in order to prevent anarchy and confusion, it becomes necessary that government should be established in this state: Therefore, we, the representatives of the freemen of North Carolina, chosen and assembled in Congress, for the express purpose of framing a constitu-

tion, under the authority of the people, most conducive to their happiness and prosperity, do declare, that a government for this state shall be established in manner and form following, to wit:

1. That the legislative authority shall be vested in two distinct branches, both dependent on the people, to wit, a Senate, and House of Commons.

2. That the Senate shall be composed of representatives annually chosen by ballot, one for each county in the state.

3. That the House of Commons shall be composed of representatives annually chosen by ballot, two for each county, and one for each of the towns of Edentown, Newbern, Wilmington, Salisbury, Hillsborough, and Halifax.

4. That the Senate and House of Commons, assembled for the purpose of legislation, shall be denominated *The General Assembly*.

5. That each member of the Senate shall have usually resided in the county in which he is chosen, for one year immediately preceding his election, and for the same time shall have possessed, and continue to possess, in the county which he represents, not less than three hundred acres of land in fee.

6. That each member of the House of Commons shall have usually resided in the county in which he is chosen, for one year immediately preceding his election, and for six months shall have possessed, and continue to possess, in the county which he represents, not less than one hundred acres of land in fee, for the term of his own life.

7. That all freemen of the age of twenty-one years, who have been inhabitants of any one county within the state twelve months immediately preceding the day of any election, and possessed of a freehold within the same county of fifty acres of land

for

for six months next before, and at the day of election, shall be entitled to vote for a member of the Senate.

8. That all freemen of the age of twenty-one years, who have been inhabitants of any county within the state twelve months immediately preceding the day of any election, and shall have paid public taxes, shall be entitled to vote for members of the House of Commons, for the county in which he resides.

9. That all persons possessed of a freehold in any town in this state, having a right of representation, and also all freemen who have been inhabitants of any such town twelve months next before, and at the day of election, and shall have paid public taxes, shall be entitled to vote for a member to represent such town in the House of Commons. Provided always, That this section shall not entitle any inhabitant of such town to vote for members of the House of Commons for the county in which he may reside, nor any freeholder in such county who resides without or beyond the limits of such town, to vote for a member for said town.

10. That the Senate and House of Commons when met, shall each have power to choose a speaker, and other their officers; be judges of the qualifications and elections of their members; sit upon their own adjournments from day to day; and prepare bills to be passed into laws. The two houses shall direct writs of election for supplying intermediate vacancies, and shall also jointly, by ballot, adjourn themselves to any future day and place.

11. That all bills shall be read three times in each house before they pass into laws, and be signed by the speaker of both houses.

12. That every person who shall be chosen a member of the Senate or House of Commons, or appointed to any office or place of trust, before

taking his seat, or entering upon the execution of his office, shall take an oath to the state, and all officers shall also take an oath of office.

13. That the General Assembly shall, by joint ballot of both houses, appoint judges of the Supreme Courts of law and equity, judges of Admiralty, and attorney-general, who shall be commissioned by the Governor, and hold their offices during good behaviour.

14. That the Senate and House of Commons shall have power to appoint the generals and field officers of the militia, and all officers of the regular army of this state.

15. That the Senate and House of Commons, jointly, at their first meeting after each annual election, shall by ballot elect a Governor for one year, who shall not be eligible to that office longer than three years in six successive years. That no person under thirty years of age, and who has not been a resident in this state above five years, and having in the state a freehold in lands and tenements above the value of one thousand pounds, shall be eligible as a Governor.

16. That the Senate and House of Commons, jointly, at their first meeting after each annual election, shall, by ballot, elect seven persons to be a council of state for one year, who shall advise the Governor in the execution of his office, and that four members shall be a quorum; their advice and proceedings shall be entered in a journal to be kept for that purpose only, and signed by the members present, to any part of which any member present may enter his dissent. And such journal shall be laid before the General Assembly, when called for by them.

17. That there shall be a seal of this state, which shall be kept by the Governor, and used by him as occasion may require; and shall be called, *The Great Seal of the state of*

*North Carolina*, and be affixed to all grants and commissions.

18. The Governor for the time being shall be Captain-general and Commander in Chief of the militia; and in the recess of the General Assembly shall have power, by and with the advice of the Council of State, to embody the militia for the public safety.

19. That the Governor for the time being shall have power to draw for, and apply such sums of money as shall be voted by the General Assembly for the contingencies of government, and be accountable to them for the same. He also may, by and with the advice of the Council of State, lay embargoes, or prohibit the exportation of any commodity, for any term not exceeding thirty days at any one time, in the recess of the General Assembly; and shall have the power of granting pardons and reprieves, except where the prosecution shall be carried on by the General Assembly, or the law shall otherwise direct; in which case he may, in the recess, grant a reprieve until the next sitting of the General Assembly; and may exercise all the other executive powers of government, limited and restrained as by this constitution is mentioned, and according to the laws of the state. And on his death, inability, or absence from the state, the speaker of the Senate for the time being; and in case of his death, inability, or absence from the state, the speaker of the House of Commons shall exercise the powers of government, after such death, or during such absence or inability, of the Governor, or speaker of the Senate, or until a new nomination is made by the General Assembly.

20. That in every case where any officer, the right of whose appointment is by this constitution vested in the General Assembly, shall, during their recess, die, or his office by

other means become vacant, the Governor shall have power, with the advice of the Council of State, to fill up such vacancy by granting a temporary commission, which shall expire at the end of the next session of the General Assembly.

21. That the Governor, Judges of the Supreme Court of law and equity, Judges of Admiralty, and Attorney-general, shall have adequate salaries, during their continuance in office.

22. That the General Assembly shall, by joint ballot of both houses, annually appoint a treasurer or treasurers for this state.

23. That the Governor, and other officers offending against the state, by violating any part of this constitution, mal-administration, or corruption, may be prosecuted on the impeachment of the General Assembly, or presentment of the grand jury of any court of Supreme Jurisdiction in this state.

24. That the General Assembly shall, by joint ballot of both houses, triennially appoint a secretary for this state.

25. That no persons, who heretofore have been, or hereafter may be receivers of public monies, shall have a seat in either House of General Assembly, or be eligible to any office in this state, until such person shall have fully accounted for, and paid into the treasury, all sums for which they may be accountable and liable.

26. That no treasurer shall have a seat either in Senate, House of Commons, or Council of State, during his continuance in that office, or before he shall have finally settled his accounts with the public, for all the monies which may be in his hands, at the expiration of his office, belonging to the state, and hath paid the same into the hands of the succeeding treasurer.

27. That

27. That no officer in the regular army or navy, in the service and pay of the United States, of this or any other state, nor any contractor or agent for supplying such army or navy with cloathing or provisions, shall have a seat either in the Senate, House of Commons, or Council of State, or be eligible thereto; and any member of the Senate, House of Commons, or Council of State, being appointed to, and accepting of such office, shall thereby vacate his seat.

28. That no member of the Council of State shall have a seat either in the Senate or House of Commons.

29. That no judge of the supreme court of law or equity, or judge of admiralty, shall have a seat in the Senate, House of Commons, or Council of State.

30. That no secretary of this state, attorney-general, or clerk of any court of record, shall have a seat in the Senate, House of Commons, or Council of State.

31. That no clergyman or preacher of the gospel, of any denomination, shall be capable of being a member of either the Senate, House of Commons, or Council of State, while he continues in the exercise of the pastoral function.

32. That no person who shall deny the being of God, or the truth of the Protestant religion, or the divine authority either of the Old or New Testament, or who shall hold religious principles incompatible with the freedom and safety of the state, shall be capable of holding any office, or place of trust or profit in the civil department within this state.

33. That the justices of the peace within their respective counties in this state, shall in future be recommended to the Governor for the time being, by the representatives in General Assembly, and the Governor shall commission them accord-

ingly; and the justices, when so commissioned, shall hold their offices during good behaviour, and shall not be removed from office by the General Assembly, unless for misbehaviour, absence, or inability.

34. That there shall be no establishment of any one religious church or denomination in this state in preference to any other, neither shall any person, on any pretence whatsoever, be compelled to attend any place of worship contrary to his own faith or judgment, nor be obliged to pay for the purchase of any glebe, or the building of any house of worship, or for the maintenance of any minister or ministry, contrary to what he believes right, or has voluntarily and personally engaged to perform; but all persons shall be at liberty to exercise their own mode of worship. *Provided*, That nothing herein contained shall be construed to exempt preachers of treasonable or seditious discourses from legal trial and punishment.

35. That no person in the state shall hold more than one lucrative office at any one time. *Provided*, That no appointment in the militia, or the office of a justice of the peace, shall be considered as a lucrative office.

36. That all commissions and grants shall run in the name of the State of North Carolina, and bear test, and be signed by the Governor. All writs shall run in the same manner, and bear test, and be signed by the clerks of the respective courts. Indictments shall conclude, *Against the peace and dignity of the state*.

37. That the delegates for this state to the Continental Congress, while necessary, shall be chosen annually by the General Assembly, by ballot, but may be superseded in the mean time in the same manner, and no person shall be elected to serve in that capacity for more than three years successively.



38. That there shall be a sheriff, coroner, or coroners, and constables, in each county within this state,

39. That the person of a debtor, where there is not a strong presumption of fraud, shall not be continued in prison, after delivering up, *bona fide*, all his estate, real and personal, for the use of his creditors, in such manner as shall be hereafter regulated by law. All prisoners shall be bailable by sufficient sureties, unless for capital offences, when the proof is evident, or the presumption great.

40. That every foreigner who comes to settle in this state, having first taken an oath of allegiance to the same, may purchase, or by other just means acquire, hold, and transfer land, or other real estate; and after one year's residence, shall be deemed a free citizen.

41. That a school or schools shall be established by the legislature, for the convenient instruction of youth, with such salaries to the masters, paid by the public, as may enable them to instruct at low prices; and all useful learning shall be duly encouraged and promoted in one or more universities.

42. That no purchase of lands shall be made of the Indian natives, but on behalf of the public, by authority of the General Assembly.

43. That the future legislature of this state shall regulate entails in such a manner as to prevent perpetuities.

44. That the Declaration of Rights is hereby declared to be part of the constitution of this state, and ought never to be violated, on any pretence whatsoever.

45. That any member of either house of General Assembly shall have liberty to dissent from, and protest against, any act or resolve which he may think injurious to the public, or any individual, and have the reasons of his dissent entered on the journals.

46. That neither house of the General Assembly shall proceed upon public business, unless a majority of all the members of such house are actually present; and that upon a motion made and seconded, the yeas and nays upon any question shall be taken and entered on the journals; and that the journals of the proceedings of both houses of the General Assembly shall be printed, and made public, immediately after their adjournment.

This constitution is not intended to preclude the present Congress from making a temporary provision for the well ordering of this state, until the General Assembly shall establish government agreeable to the mode herein before described.

RICHARD CASWELL, President.  
December the eighteenth, one thousand seven hundred and seventy-six, read the third time, and ratified in open Congress.

By Order,  
JAMES GREEN, Jun. Sec.

*The CONSTITUTION of the State of GEORGIA, unanimously agreed to; in CONVENTION, the 5th of February, 1777.*

Whereas the conduct of the legislature of Great Britain for many years past, has been so oppressive on the people of America, that of late years, they have plainly declared, and asserted a right to raise taxes upon the people of America, and to make laws to bind them in all cases whatsoever, without their consent; which conduct being repugnant to the common rights of mankind, hath obliged the Americans, as freemen, to oppose such oppressive measures, and to assert the rights and privileges they are entitled to, by the laws of nature and reason; and accordingly it hath been done by the general consent of all the people of the states of New Hampshire, Massachusetts Bay, Rhode Island, Connecticut,

necticut, New York, New Jersey, Pennsylvania, the counties of New-castle, Kent, and Sussex on Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, given by their representatives met together in General Congress, in the city of Philadelphia.

And whereas it hath been recommended by the said Congress on the fifteenth of May last, to the respective Assemblies and Conventions of the United States, where no government, sufficient to the exigencies of their affairs, hath been hitherto established, to adopt such government, as may, in the opinion of the representatives of the people, best conduce to the happiness and safety of their constituents in particular, and America in general.

And whereas the independence of the United States of America has been also declared, on the fourth day of July, one thousand seven hundred and seventy-six, by the said honourable Congress, and all political connections between them and the crown of Great Britain is in consequence thereof dissolved,

We, therefore, the representatives of the people, from whom all power originates, and for whose benefit all government is intended, by virtue of the power delegated to us, do ordain and declare, and it is hereby ordained and declared, that the following rules and regulations be adopted for the future government of this State :

1. The legislative, executive, and judiciary departments shall be separate and distinct, so that neither exercise the powers properly belonging to the other.

2. The legislature of this state shall be composed of the representatives of the people, as is herein after pointed out : And the representatives shall be elected yearly, and every year, on the first Tuesday in Decem-

ber ; and the representatives to be elected, shall meet the first Tuesday in January following, at Savannah, or any other place or places, where the House of Assembly for the time being shall direct.

On the first day of the meeting of the representatives so chosen, they shall proceed to the choice of a Governor, who shall be styled *honourable* ; and of an executive council, by ballot out of their own body, viz. two from each county, except those counties which are not yet entitled to send ten members. One of each county shall always attend where the Governor resides, by monthly rotation, unless the members of each county agree for a longer or shorter period ; this is not intended to exclude either member attending : the remaining number of representatives shall be called the *The House of Assembly* ; and the majority of the members of the said house shall have power to proceed on business.

3. It shall be an unalterable rule, that the House of Assembly shall expire, and be at an end yearly and every year, on the day preceding the day of election, mentioned in the foregoing rule.

4. The representation shall be divided in the following manner : Ten members for each county, as is herein after directed, excepting the county of Liberty, which contains three parishes, and that shall be allowed fourteen.

The ceded lands north of Ogeechee shall be one county, and known by the name of Wilkes.

The parish of St. Paul shall be another county, and known by the name of Richmond.

The parish of St. George shall be another county, and known by the name of Burke.

The parish of St. Matthew, and the upper part of St. Philip, above Canouche,

Canouchie, shall be another county, and known by the name of Effingham.

The parish of Christ-Church, and the lower part of St. Philip, below Canouchie, shall be another county, and known by the name of Chat-ham.

The parishes of St. John, St. Andrew, and St. James, shall be another county, and known by the name of Liberty.

The parishes of St. David and St. Patrick shall be another county, and known by the name of Glyn.

The parishes of St. Thomas and St. Mary shall be another county, and known by the name of Camden.

The port and town of Savannah shall be allowed four members to represent their trade.

The port and town of Sunbury shall be allowed two members to represent their trade.

5. The two counties of Glyn and Camden shall have one representative each, and also they, and all other counties that may hereafter be laid out by the House of Assembly, shall be made under the following regulations, viz. at their first institution, each county shall have one member, provided the inhabitants of said county shall have ten electors; and if thirty, they shall have two; if forty, three; if sixty, four; if eighty, six; if an hundred and upwards, ten; at which time two executive councillors shall be chosen from them, as directed for the other counties.

6. The representatives shall be chosen out of the residents in each county, who shall have resided, at least, twelve months in this state, and three months in the county where they shall be elected; except the freeholders of the counties of Glyn and Camden, who are in a state of alarm, and who shall have

the liberty of choosing one member each, as specified in the articles of this constitution, in any other county, until they have residents sufficient to qualify them for more: And they shall be of the Protestant religion, and of the age of twenty-one years, and shall be possessed in their own right of two hundred and fifty acres of land, or some property to the amount of two hundred and fifty pounds.

7. The House of Assembly shall have power to make such laws and regulations, as may be conducive to the good order and well being of the state; provided such laws and regulations be not repugnant to the true intent and meaning of any rule or regulation contained in this constitution.

The House of Assembly shall also have power to repeal all laws, and ordinances, they find injurious to the people: And the house shall chuse its own speaker, appoint its own officers, settle its own rules of proceeding, and direct writs of election, for supplying intermediate vacancies; and shall have power of adjournment to any time, or times within the year.

8. All laws and ordinances shall be three times read, and each reading shall be on different and separate days, except in cases of great necessity and danger; and all laws and ordinances shall be sent to the executive council, after the second reading, for their perusal and advice.

9. All male white inhabitants, of the age of twenty-one years, and possessed, in his own right, of ten pounds value, and liable to pay tax in this state, or being of any mechanic trade, and shall have been a resident six months in this state, shall have a right to vote at all elections for representatives, or any other officers, herein agreed to be chosen by the people at large; and every per-

son having a right to vote at any election, shall vote by ballot personally.

10. No officer whatever shall serve any process, or give any other hindrance to any person entitled to vote, either in going to the place of election, or during the time of the said election, or on their returning home from such election; nor shall any military officer, or soldier, appear at any election in a military character, to the intent that all elections may be free and open.

11. No person shall be entitled to more than one vote, which shall be given in the county where such person resides, except as before excepted; nor shall any person, who holds any title of nobility, be entitled to a vote, or be capable of serving as a representative, or hold any post of honour, profit, or trust, in this state, whilst such person claims his title of nobility; but if the person shall give up such distinction, in the manner as may be directed by any future legislature, then, and in such case, he shall be entitled to a vote, and represent, as before directed; and enjoy all the other benefits of a free citizen.

12. Every person absenting himself from an election, and shall neglect to give in his, or their ballot, at such election, shall be subject to a penalty not exceeding five pounds; the mode of recovery, and also the approbation thereof, to be pointed out, and directed by act of the legislature; provided, nevertheless, that a reasonable excuse shall be admitted.

13. The manner of electing representatives shall be by ballot, and shall be taken by two or more justices of the peace, in each county, who shall provide a convenient box for receiving the said ballots; and closing the poll, the ballots shall be compared in public, with the lists of voters that have been taken, and the

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majority immediately declared; a certificate of the same being given to the persons elected, and also a certificate returned to the house of representatives.

14. Every person entitled to vote shall take the following oath or affirmation, if required, viz.

"I, A. B. do voluntarily and solemnly swear, or affirm, (as the case may be) that I do owe true allegiance to this state, and will support the constitution thereof. So help me God."

15. Any five of the representatives elected, as before directed, being met, shall have power to administer the following oath to each other; and they or any other member, being so sworn, shall in the house administer the oath to all other members that attend, in order to qualify them to take their seats, viz.

"I, A. B. do solemnly swear, that I will bear true allegiance to the state of Georgia, and will truly perform the trust reposed in me; and that I will execute the same to the best of my knowledge, for the benefit of this state, and the support of the constitution thereof; and that I have obtained my election without fraud or bribe whatever. So help me God."

16. The continental delegates shall be appointed annually by ballot, and shall have a right to sit, debate and vote, in the House of Assembly, and be deemed a part thereof; subject however to the regulations contained in the twelfth article of the confederation of the United States.

17. No person bearing any post of profit under this state, or any person bearing any military commission, under this or any other state, or states, except officers of the militia, shall be elected a representative. And if any representative shall be appointed to any place or profit, or military commission, which he shall accept,

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his seat shall immediately become vacant, and he shall be incapable of re-election, whilst holding such office.

By this article it is not to be understood, that the office of a justice of the peace, is a post of profit.

18. No person shall hold more than one office of profit, under this state, at one and the same time.

19. The governor shall, with the advice of the executive council, exercise the executive powers of government, according to the laws of this state, and the constitution thereof; save only in the case of pardons, and remission of fines, which he shall in no instance grant; but he may reprieve a criminal, or suspend a fine, until the meeting of the Assembly, who may determine therein, as they shall judge fit.

20. The Governor, with the advice of the executive council, shall have power to call the House of Assembly together, upon any emergency, before the time which they stand adjourned to.

21. The Governor, with the advice of the executive council, shall fill up all intermediate vacancies, that shall happen in offices, till the next general election: And all commissions civil and military, shall be issued by the Governor, under his hand, and the great seal of the state.

22. The Governor may preside in the executive council at all times, except when they are taking into consideration, and perusing the laws and ordinances offered to them by the House of Assembly.

23. The Governor shall be chosen annually by ballot, and shall not be eligible to the said office for more than one year out of three, nor shall he hold any military commission under any other state or states.

The Governor shall reside at such place as the House of Assembly for the time being shall appoint.

#### 24. The Governor's oath.

"I, A. B. elected Governor of the state of Georgia, by the representatives thereof, do solemnly promise and swear, that I will, during the term of my appointment, to the best of my skill and judgment, execute the said office faithfully and conscientiously, according to law, without favour, affection, or partiality; that I will, to the utmost of my power, support, maintain, and defend the state of Georgia, and the constitution of the same; and use my utmost endeavours to protect the people thereof, in the secure enjoyment of all their rights, franchises, and privileges; and that the laws and ordinances of the state be duly observed, and that law and justice in mercy be executed in all judgments. And I do further solemnly promise and swear, that I will peaceably and quietly resign the government to which I have been elected, at the period to which my continuance in the said office is limited by the constitution: And lastly, I do also solemnly swear, that I have not accepted of the government, whereunto I am elected, contrary to the articles of this constitution. So help me God."

This oath to be administered to him by the speaker of the Assembly.

The same oath to be administered by the speaker to the President of the council.

No person shall be eligible to the office of Governor, who has not resided three years in this state.

25. The executive council shall meet the day after their election, and proceed to the choice of a President out of their own body; they shall have power to appoint their own officers, and settle their own rules of proceeding.

The council shall always vote by counties, and not individually.

26. Every councillor, being present, shall have power of entering his

his protest against any measures in council he has not consented to, provided he does it within three days.

27. During the sitting of the Assembly, the whole of the executive council shall attend, unless prevented by sickness, or some other urgent necessity; and in that case, a majority of the council shall make a board, to examine the laws and ordinances sent them by the House of Assembly; and all laws and ordinances sent to the council, shall be returned in five days after, with their remarks thereon.

28. A committee from the council sent with any proposed amendments to any law, or ordinance, shall deliver their reasons for such proposed amendments, sitting and covered; the whole house at that time, except the speaker, uncovered.

29. The President of the executive council, in the absence or sickness of the Governor, shall exercise all the powers of the Governor.

30. When any affair that requires secrecy shall be laid before the Governor, and the executive council, it shall be the duty of the Governor, and he is hereby obliged, to administer the following oath, viz.

"I, A. B. do solemnly swear, that any business that shall be at this time communicated to the council, I will not, in any manner whatever, either by speaking, writing, or otherwise, reveal the same to any person whatever, until leave given by the council, or when called upon by the House of Assembly; and all this I swear without any reservation whatever. So help me God."

And the same oath shall be administered to the secretary, and other officers, necessary to carry the business into execution.

31. The executive power shall exist, till renewed, as pointed out by the rules of this constitution.

32. In all transactions between the legislative and executive bodies, the same shall be communicated by message, to be delivered from the legislative body to the Governor, or executive council, by a committee; and from the Governor to the House of Assembly, by the secretary of the council; and from the executive council, by a committee of the said council.

33. The Governor, for the time being, shall be Captain-general, and commander in chief, over all the militia, and other military and naval forces belonging to this state.

34. All militia commissions shall specify, that the person commissioned shall continue during good behaviour.

35. Every county in this state that has, or hereafter may have, two hundred and fifty men, and upwards, liable to bear arms, shall be formed into a battalion, and when they become too numerous for one battalion, they shall be formed into more, by the bill of the legislature; and those counties that have a less number than two hundred and fifty, shall be formed into independent companies.

36. There shall be established in each county a court, to be called a superior court, to be held twice in each year, on the first Tuesday in March, in the county of Chatham.

The second Tuesday in March, in the county of Effingham.

The third Tuesday in March, in the county of Burke.

The fourth Tuesday in March, in the county of Richmond.

The next Tuesday, in the county of Wilkes.

And Tuesday fortnight, in the county of Liberty.

The next Tuesday, in the county of Glyn.

And next Tuesday in the county of Camden.

The like courts to commence in October, and continue as above.

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37. All

37. All causes and matter of dispute between any parties, residing in the same county, to be tried within the county.

38. All matter of dispute between contending parties, residing in different counties, shall be tried in the county where the defendant resides; except in cases of real estates, which shall be tried in the county where such real estate lies.

39. All matters of breach of the peace, felony, murder, and treason against the state, to be tried in the county where the crime was committed. All matters of dispute, both civil and criminal, in any county where there is not a sufficient number of inhabitants to form a court, shall be tried in the next adjacent county where a court is held.

40. All causes of what nature soever, shall be tried in the superior court, except as hereafter mentioned; which court shall consist of the chief justice, and three or more of the justices residing in the county; in case of the absence of the chief justice, the senior justice on the bench shall act as chief justice, with the clerk of the county, attorney for the state, sheriff, coroner, constable, and the jurors. And in case of the absence of any of the aforementioned officers, the justices on the bench, to appoint others in their room *pro tempore*. And if any plaintiff or defendant in civil causes shall be dissatisfied with the determination of the jury, then, in that case, they shall be at liberty within three days to enter an appeal from that verdict, and demand a new trial by a special jury, to be nominated as follows, viz. each party, plaintiff and defendant, shall chuse six, six more names shall be taken indifferently out of a box provided for that purpose, the whole eighteen to be summoned, and their names to be put together into the box, and the first twelve that are drawn out, being present,

shall be the special jury to try the cause, and from which there can be no appeal.

41. The jury shall be judges of the law, as well as of fact, and shall not be allowed to bring in a special verdict; but if all or any of the jury have any doubts concerning points of law, they shall apply to the bench, who shall each of them in rotation give their opinion.

42. The jury shall be sworn to bring in a verdict according to law, and the opinion they entertain of the evidence; provided it be not repugnant to the rules and regulations contained in this constitution.

43. The special jury shall be sworn to bring in a verdict according to law, and the opinion they entertained of the evidence, provided it be not repugnant to justice, equity, and conscience, and the rules and regulations contained in this constitution, of which they shall judge.

44. Captures both by sea and land to be tried in the county where such shall be carried in; a special court to be called by the chief justice, or, in his absence, by the then senior justice in the said county, upon application of the captors or claimants, which case shall be determined within the space of ten days. The mode of proceeding and appeal shall be the same as in the superior courts, unless after the second trial an appeal is made to the Continental Congress; and the distance of time between the first and second trial not exceed fourteen days: and all maritime causes to be tried in like manner.

45. No grand jury shall consist of less than eighteen, and twelve may find a bill.

46. That the court of conscience be continued as heretofore practised, and that the jurisdiction thereof be extended to try causes not amounting to more than ten pounds.

47. All executions exceeding five pounds, except in the case of a court merchant

merchant, shall be stayed, until the first Monday in March; provided security be given for debts and costs.

48. All costs attending any action in the superior court, shall not exceed the sum of three pounds, and that no cause be allowed to depend in the superior court longer than two terms.

49. Every officer of the said state shall be liable to be called to account by the House of Assembly.

50. Every county shall keep the public records belonging to the same; and authenticated copies of the several records, now in the possession of this state, shall be made out, and deposited in that county to which they belong.

51. Estates shall not be entitled, and when a person dies intestate, his or her estate shall be divided, according to the act of distribution made in the reign of Charles the second; unless otherwise altered by any future act of the legislature.

52. A register of probates shall be appointed by the legislature in every county, for proving wills, and granting letters of administration.

53. All civil officers in each county shall be annually elected on the day of the general election, except justices of the peace, and registers of probates, who shall be appointed by the House of Assembly.

54. Schools shall be erected in each county, and supported at the general expence of the state, as the legislature shall hereafter point out.

55. A court-house and gaol shall be erected at the public expence in each county, where the present convention, or the future legislature shall point out and direct.

56. All persons whatever shall have the free exercise of their religion, provided it be not repugnant to the peace and safety of the state;

and shall not, unless by consent, support any teacher, or teachers, except those of their own profession.

57. The great seal of the state shall have the following device; on one side a scroll, whereon shall be engraved, *The Constitution of the State of Georgia*, and the motto, *Pro bono publico*; on the other side an elegant house and other buildings, fields of corn, and meadows covered with sheep and cattle; a river running through the same, with a ship under full sail, and the motto, *Deus nobis hæc Otia fecit*.

58. No person shall be allowed to plead in the courts of law, in this state, except those who are authorised so to do by the House of Assembly; and if any person so authorised shall be found guilty of mal-practice before the House of Assembly, they shall have power to suspend them. This is not intended to exclude any person from that inherent privilege of every freeman, the liberty to plead his own cause.

59. Excessive fines shall not be levied, nor excessive bail demanded.

60. The principles of the habeas corpus act shall be part of this constitution.

61. Freedom of the press, and trial by jury, to remain inviolate for ever.

62. No clergyman, of any denomination, shall be allowed a seat in the legislature.

63. No alteration shall be made in this constitution without petitions from a majority of the counties, and the voters in each county within this state. At which time the Assembly shall order a Convention to be called for that purpose, specifying the alterations to be made, according to the petitions preferred to the Assembly by the majority of the counties as aforesaid.

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The following Letter, written by the Right Honourable Mr. FITZPATRICK to the Provost, has been transmitted by that Gentleman to the Mayor :

*Dublin-Castle, -July 22, 1782.*

S I R,

Being informed from many quarters that the misrepresentations, so generally circulated relative to the supposed introduction of a bill into the House of Lords in England, declaring the right of the British parliament to bind Ireland in matters of external legislation, have created much uneasiness in many parts of the kingdom, and particularly amongst your respectable constituents, I must intreat your good offices in setting right a matter, the misconception of which may so materially injure the public service, by disturbing that harmony which is, I trust, fully and finally established between the kingdoms, the interruption of which cannot but be highly detrimental to the interests, happiness, and tranquility of both; the report of the above-mentioned bill having been suffered to lie upon the table of the House of Lords is wholly without foundation. It is true that the Earl of Abingdon did intimate a wish that it might be permitted to lie upon the table, but upon being informed that the proposition would be objected to, and there appearing no probability of his finding himself supported by any Lord in the house, his Lordship declined making any motion upon the subject, and consequently there appear upon the minutes of that day's business no traces whatever of the transaction. I have reason to believe, that these were the motives that induced his Lordship to waive his intention, but the facts of his having made no motion in the house, and of the bill not having been permitted to lie upon the table (as has been falsely represented) are unquestionable. I cannot but flatter

myself, that this matter, rightly understood, will cease to be an object of uneasiness to the public, naturally, and most commendably jealous where they conceive their acknowledged right exposed to danger; and I am confident, that the anxiety of Ireland upon this occasion, may be more justly imputed to a laudable and zealous attachment to those rights, than to any forward disposition of harbouring ill-grounded doubts of the honor and good faith of Britain.

I have the honour to be, Sir, with great respect, your most obedient humble servant,

RICHARD FITZPATRICK.

*The Right Hon. the Provost  
of Trinity College.*

*Dublin, August 8.* An Irish bill of rights seems now the favourite idea adopted by the voice of the public, as the best and firmest rock of national security. This properly executed by all parties, will operate as a Magna Charta, and whose infringement will hereafter be considered as an open and direct violation of the faith of nations.

The late Belfast review was honoured not only with the presence of the Right Hon. Henry Flood, but of Lord Pembroke. They expressed an high approbation of the discipline of that little army. Mr. Flood also attended the meeting of delegates which assembled to determine on an address to the reviewing General. Every person was full of expectation that he would take a part in the debate, anxious to be witnesses to the extraordinary abilities of that eminent orator. Toward the close of a debate of eleven hours, he arose, when every one thought the desired moment was arrived: He, however, in a very low tone of voice, urged, in a very few words only, a mere point of order respecting the address. There were five members of Parliament

liament present, few of which interested in the debate.

Mr. Grattan's return from the Continent and England, his friends say, is fixed to be in the first or second week in November.

The following is a correct list of the volunteer army reviewed last week at Belfast, amounting to 4,000 effective men, encamped.

The camp commanded by the Right Honourable Colonel O'Neil.

First line fronting Belfast.

Belfast battalion, Belfast-artillery, Belfast first volunteer company, Donegore, Larne, Holywood, White House, Belfast Union.

Battalion of detached companies. Belfast volunteer blues, first Holywood, Carrickfergus, Tyrone and Acton, Killileagh.

Part of Union regiment. Lisburn first company, Rosevale, Ballynahinch, Moira,

Second line fronting Lisburn.

First Royal Ulster regiment. Col O'Neil. Artillery. Braid, Cullybackey, Portglenore, Antrim, Connor, Randalstown, Ahoghill, Broughshane.

Ulster Regiment, Col. Rowley.

Red battalion, Ulster regiment. Ballyleslan, Ballynure, Drumbridge, Dunmurry, Purdisburne, Lisburne Fusileers.

Blue Battalion, Ulster regiment. Lisburn true-blue grenadiers, Battalion company ditto, light infantry ditto, Lambeg, Dromore, Maghlagell, Ulster regiment artillery. Cantoned in town, and forming the garrison.

Commanded by Col. Stewart.

First independent company, Down regiment, Col. Stewart, Comber company, Orrs; ditto, Gillespy; ditto, Andrews. Newtown, 1st, 2d, 3d; Bangon, Donaghadee, Dundonald, Newtown artillery, Killead company, Aghadee ditto, Belfast horse, Newry horse, Newtown horse, O'Neil's horse.

The votes of the Londonderry volunteers, in consequence of the doubts and jealousies which have arisen from the subject of the late national transactions between Great Britain and Ireland, having been taken into consideration, are as follow :

Resolved unanimously, That we deem an Irish Bill of Rights absolutely necessary; for though we believe that the British legislature understand the repeal of the 6th of George the 1st, as a relinquishment of all claim of authority over this kingdom, yet we are certain, that the people of Ireland cannot be too careful in guarding against future controversy.

Resolved unanimously, That thinking it the interest and duty of the people of Ireland to exert themselves in supporting the maritime force of the empire, this corps will continue to beat up for naval volunteers.

*Dublin, August 15, 1782.*

#### **LIBERTY VOLUNTEERS.**

At a very numerous meeting of the Liberty Volunteers, pursuant to general summons, for the purpose of taking into consideration an address to the Right Hon. Henry Flood; July 22, 1782,

Col. Sir EDWARD NEWENHAM in the chair,

Resolved unanimously, That we have and do place the greatest confidence in the profession and national honour of Great Britain; and would be the last body of Irishmen to advance, declare, or propose any matter that would hurt the pride, or tarnish the honour of that nation, with whose freedom and glory our own are so closely connected—a nation, which the unanimous voice of Irishmen have declared “they will rise and fall with.” At the same time we conceive that any further addition which is requisite to what  
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has been already obtained, the pride, honour, or glory of the English nation would not be sullied by granting it, and therefore we expect that Great Britain will not contend for any claim, or exercise any powers injurious to the freedom and constitution of Ireland.

Resolved unanimously, That the sincere thanks of this corps be given to the Right Honourable Henry Flood, for the exertions of his great and powerful abilities, in his zealous endeavours to serve his country; and that we are determined to support him in every constitutional measure tending to secure, upon the most permanent foundation, our inherent rights, not only of internal, but also of external legislation, in direct opposition to the bill proposed by the Earl of Abingdon, whose temerity we rely will not find any considerable support in our sister kingdom.

Resolved unanimously, That the Secretary do sign the above resolution and address, and that a deputation of this corps be appointed to wait on the Right Honourable Henry Flood, and present him with the same.

Resolved unanimously, That the said resolutions and address, together with Mr. Flood's answer, be inserted in the Dublin Evening Post, and Hibernian Journal.

Major Horan having taken the chair,

Resolved unanimously, That the thanks of this corps be given to Colonel Newenham, for his very proper and impartial conduct this day in the chair.

Signed by order,

ROBERT WALKER, Secretary.  
To the LIBERTY VOLUNTEERS,  
commanded by Colonel Sir Edward Newenham.

GENTLEMEN,

Every circumstance of your corps, and of the times, endears and dig-

nifies your address. A great moment was before us, and passing away not adequately improved. It is in men such as you to retrieve it; and, notwithstanding a momentary deception, the growing sentiment of the country is with you. The rights of an inferior power are only rights in proportion as they are clear. To leave them to confusion is to trifle with the people.

I have the honour to be, Gentlemen, With perfect respect, Your most humble, and obedient servant,  
HENRY FLOOD.

July 25, 1782.

At the meeting of the Noblemen and Gentlemen at Edinburgh, on the first of August, 1782, to consider of a plan for a constitutional, safe, and useful defence for Scotland, the business was opened by the Earl of Glencairn, in a concise, sensible and spirited speech. His Lordship gave a view of the defenceless state of this country, and held forth, in strong language, the right we had to an equal and constitutional defence with the southern part of the kingdom. He said, that the last Scots militia bill had not been lost so much by the aversion of the English members to the plan, as by the supineness of the Scots members to bring forward and support the measure. He pictured the English militia as a standing army, and as oppressive; but that a Scots national defence might be formed without these disadvantages. He stated the example of Switzerland, which, by a constitutional and well-ordered internal defence, had supported her liberty, and had been always too formidable for foreign invasion. The martial spirit of the country, he said, was well known, and he hoped that spirit might be roused to an attention to our present situation. The intention of the meeting was, that the means of a constitutional defence should

should be considered of, and the sense of the country should be taken. His Lordship then read to the meeting the three first resolutions, and the heads of a plan to be considered of for a bill on this subject.

Sir John Dalrymple next rose. The honourable Baronet highly approved of the proposed resolutions. He gave the history of the several applications for a Scots militia, and the causes of the failure of their success, from the situation or views of the then King's Ministers. He stated his private information, of Lord Shelburne being friendly to this country, and friendly to the last proposal of a Scots militia; and therefore, that the meeting should write to his Lordship, with the proposed bill, which should be drawn up by the meeting, but that the counties should by no means be consulted in the business. The honourable Baronet's reason for this last was, that when the business was so diffused, and different opinions collected, that nothing would be done; and gave, from his own knowledge, an account of the loss of two national bills, by being referred to the counties for their opinions. The first was, the alteration of the entail act for Scotland, where he was in opposition, with five others, against the whole faculty of advocates, and, on purpose to get rid of so unequal a contest, and so powerful a majority, he proposed that the consideration of the matter should be sent to the counties, and there it ended. The other instance he gave was, the late proposed bill respecting the exportation of wool; that bill had also been sent to the counties of England, and opposite sentiments being collected, nothing was done.

To this reasoning the Earl of Glencairn said, that he did not apprehend that this meeting, so few in proportion to the body of the people, could take any measure respecting the

country at large, without consulting the counties. That if, upon trial, the nation was found supine, and indifferent to a national defence, there the matter would rest; but that the meeting could by no means presume to dictate, or carry forward measures of the kind, without consulting the sense of the country.

This called up the Earl of Moray, who, in a clear, distinct, and decided speech, coincided with the last noble Lord, that it would be presumptuous and disrespectful to take measures without consulting the country at large. His Lordship said, that convinced as he was of the utility, of the necessity of the measure then under consideration, yet, if it was found not to be the general voice of the nation, or two thirds of it at least, he would not urge its being carried forward.

His Lordship was followed by Mr. Dewar, who approved of the plan of a national defence, but disapproved of its being on the plan of the English militia, which was in fact not a militia, but a standing army, and oppressive to the country, without the benefit arising from a standing army. That, if a militia was formed on such a plan as he had now heard read, he would give it every support in his power.

The Earl of Hopetoun next rose. His Lordship strenuously supported the idea of a national defence. He related the proceedings of the late meeting, at the St. Alban's tavern, upon the Scots militia bill, and went fully into the argument upon the subject.

His Lordship thought, that as, by the union, we were one and the same nation, no distinction whatever ought to be made between the countries; and especially respecting the militia of England and Scotland. He said, that the English militia, when in the field, cost the nation 800,000*l.* that the utmost extent

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which

which Scotland wished for would not amount, when the men were called out, to 120,000l. yet Scotland paid for the English militia, while England had denied to Scotland a constitutional defence, either from avarice, distrust, or disrespect. That the Commander in Chief had allowed that the resources of the army were from Scotland, that by her the battles of the empire were fought, and victories obtained; and yet England had denied this country an internal protection! That Scotland asked for nothing more than what she was justly entitled to, and should demand as her right; and that, for his own part, he was resolved, in his own country, soon to form a plan of defence, since a constitutional national one had been refused.

Sir John Dalrymple then rose and said, the present debate was a proof of what he said would happen; one was for a militia the same as England, while another was for a different plan. But he would meet the noble Lords, and agree to the bill being sent to the counties. He was for drawing up a bill on the plan that had been suggested; but he would agree to a militia on the plan of the English, or any other, rather than have none.

The Earl of Hopetoun then gave up the idea of the plan of the English militia, if a better and less oppressive plan could be formed.

The Preses then proposed several resolutions, which were read and unanimously agreed to, and a Committee appointed to meet and frame a bill on the plan which had been read, which was to be sent to the different counties for their opinions.

A subscription to defray the necessary expences, to bring forward the plan, was then proposed, and also agreed to, which concluded the business.

The following day there was a meeting of several Noblemen and

Gentlemen at Prince's-street Coffee-houses, who approved of the resolutions of the counties of Moray, Caithness, and Inverness, relative to fictitious votes, and appointed a Committee to correspond with the several counties in Scotland on the subject of applying to Parliament for obtaining a more constitutional mode of creating qualifications in the elections of members of the House of Commons.

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*Extract from the Register of the Resolutions of their High Mightinesses the States General of the United Provinces, of Friday the 31<sup>st</sup> of July, 1782.*

His Serene Highness the Prince Stadtholder having this day attended the Assembly of the Secret Committee, made the following proposal to the deputies of their High Mightinesses:

“ Noble and Mighty Lords,

“ When at the latter end of May, at my return from the road of *Nieuw Diep*, I rendered an account to your Noble Mightinesses of the measures which I had taken, I at the same time delivered the original resolution of the Council of War, which had been held in my presence on board the Admiral General man of war; and I had the satisfaction of finding, that my conduct was approved of. Being informed since that the naval force of the enemy had been greatly diminished in the North Sea, I wrote on the 6<sup>th</sup> of June, to Admiral Hartfink, the commanding officer of our fleet, to enjoin him, in consequence of the resolution of the Council of War, held on the 27<sup>th</sup> of May, to set sail immediately, and to order the convoys out, charging him at the same time, that as soon as he should go to the sea, he should use his utmost endeavours to annoy the enemy in every possible manner, and to take, burn, sink, and destroy their ships, as circumstances should direct,

direct, and on all occasions to maintain the honour of the Dutch flag; to strive to make himself master of the North Seas; to protect the merchantmen, laden for the Baltic; to repair to the ships of the East-India Company, which were at Drontheim, and if it was possible to accompany each of them to the port of its destination; to support, against the English, all the vessels belonging to the subjects of the powers at war with Great-Britain; and to conclude, to avoid every thing that might give a just cause of complaint to any of the Neutral Powers.—But on the other hand, to seize all vessels laden with contraband goods, with as much strictness as should be found compatible with the treaties subsisting with those powers.

“ But this announced diminution of the enemy’s naval force not being verified, and the English fleet, on the contrary, appearing daily within sight of the Texel and the Ulie, it was not for that of the Republic to sail under those circumstances. It has been only within these few days that I have learned that the English first-rate ships have failed to make their appearance; in consequence of which, on the 22d of June, I wrote to enjoin Admiral Hartfink to dispatch with the utmost expedition, several light vessels to discover the enemy, to assemble a Council of War, and to inform of the resolution which they should come to. An extract of my letter will be found inserted in the minutes of the Council of War, held on the 4th of June, which I thought proper to communicate to your Noble Mightinesses.— You will therefore see that the unanimous opinion of the members which composed it, opposed the sailing of our fleet, till information should be received of the combined fleets of France being arrived in the Channel, and of the English having

turned their forces a different way. I thought, therefore, that it did not belong to me to determine singly upon the departure of the fleet, against the unanimous voice of the Council of war; and on that account I judged it necessary to consult with the Councillors and Ministers of the respective Admiralties, convened by their High Mightinesses. I communicated to them the minutes of the last Council of War, and they replied by the annexed paper, to which I have conformed myself, by addressing a letter, on the 2d of June, to Admiral Hartfink, informing him, that I adhered to it, and that I authorized him afresh to set sail. The Council of War, last Tuesday, acquainted me with the farther result of their deliberations, which you will also find in the annexed papers, and which are entirely conformable to the principles previously adopted; except that they contain some overtures on the subject of the disposition of the vessels which are now off Zealand and in the Ulie. This resolution has induced me to enter into a second consultation with the Ministers and Councillors of the administration, and I deposit their opinions in the hands of your Noble Mightinesses, and shall refer myself, for the sake of brevity.

“ This full explanation will prove to you, Noble and Mighty Lords, that I have long desired to put the forces of the Republic into action, and to employ them effectually against the enemy wherever our situation would admit of it. All my orders and proceedings have tended to this point; only I have hesitated to act in opposition to the sentiments of so many naval officers of known and experienced bravery, the greatest part of whom have proved themselves neither deficient in courage nor judgment. I would not resolve to confide solely in my own knowledge.

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to make myself responsible for the events of war, and to insist positively upon the sailing of the fleet, at a time when all the professional men advised me against it. You will see, Noble and Mighty Lords, by the last opinions of the Councillors and Ministers of the Admiralties, that they form the sentiments of the Council of War, and that they have declared themselves for the immediate departure of the fleet. I yesterday again informed Admiral Hartfink of the opinion of the deputies of the Admiralties, and I observed to him that the measure might soon be practicable. I required, therefore, that the fleet should sail with the first east wind: and, if they should not be able to get any farther than before the Halberds, that they might then, if possible, join the ships of Zealand and the Ulie, and execute the orders prescribed by my mission of the 6th of June; that at all events they should without delay make the necessary preparations and arrangements for enabling them to put to sea with the first fair wind; supposing that by the authority of their High Mightinesses, you should think proper, Noble and Mighty Lords, to require it. In hopes that your Noble Mightinesses will be pleased to approve of the conduct, which I thought it my duty to observe, and that will furnish me with respect of the sailing, with such resolution as shall appear to you most advisable."

Upon which, having deliberated at the Assembly of the Generality, their High Mightinesses thanked his Serene Highness for his information, and highly approved of his proceedings, requiring him at the same time to determine the immediate sailing of the fleet, agreeable to the last opinion of the Deputies of the Colleges of Admiralty, and to dispatch the necessary orders for that purpose to Admiral Hartfink.

Lima, Jan. 31. 1782.

*Extract of a Letter from the Archbishop of Lima, to the Surgeon-General at Rio de Janeiro.*

"At the beginning we imagined that this rebellion would be slight, and easily extinguished; but in spite of all our strongest efforts, it not only exists, but continues to increase in such a manner, that history cannot produce an example. The enthusiastic Tupac Arnaw was, to appearance, the first and principal mover of the rebellion, and although we surprized and beat him at Tinta, yet the son of that rebel, and his brother Diego Tupac Arnaw, have succeeded him, and if possible, they surpass him in the most dreadful barbarity and cruelty: all the provinces between Cusco and Chucuisaca, are the sad witnesses of their horrible devastations. The most important settlements, such as Lampa, Occuro, Le Crusiro, Chaqueto, and others, were plundered and burnt; Cayllom twice plundered, after destroyed; the vicar and clergy murdered. The madness of these Americans is carried much farther than it is possible to be imagined; long pikes that they have, they thrust into the bodies of their prisoners, and expose them in that manner with the most brutal cruelty until they expire; and if I was to proceed to describe to you their irreligious horror in destroying the churches and clergy, and even the women and children tortured with brutality, I should feel too much to succeed in the attempt. O, (Almighty God!) when shall our calamities have an end from the miseries of their cruelty!

"The gold and gold dust, with the mines of silver, too numerous to be named, are lost; Peru, Gué la Súcine, are sadly changed in the space of eight months, and the terrible consequences are, that we have no vigour left in our government at all

all to protect us. Whole provinces are deserted, fields lie uncultivated, and every sort of animal we had to support us is destroyed. All the miners and other labourers murdered, and all commerce and trade totally ruined: more than fifty thousand inhabitants, of all ages and sexes, have been butchered; and at this time, that cruel enemy have a numerous army in our sight, three times larger than ours, and better paid and disciplined.—This is the actual and miserable state of the kingdom of Peru and its neighbouring provinces.”

C O P Y.

*Afuvidades, Sao, Dec. 28, 1781.*

“Que de Puffa Mar Inga has assaulted the Spaniards with great force, along with his Cousin Pupa-guitto as General, making great hostilities.

“He has taken from them the town of La Paz, where the silver from the mines was carried. The Governor took flight from this force, and is now in the river. All the battles passed here without pardoning the innocent, unless they surrendered; and they defeated 400 soldiers, who came from Buenos Ayres, to give succour. This town was blocked up four months and odd days, and the inhabitants supported themselves upon rats, horses, and dogs.

“The commerce of the mine is at a stand, and it is supposed no more silver will come from Spanish America.”

*From the Boston (New-England) Gazette.*

*Extract of a Letter from Ninety-Six, dated the 1st of June.*

“By late advices from the back and interior parts of the country, we have the most pleasing prospect of a most plentiful harvest, and luxurious crops of every kind, perhaps beyond what is usual in this

country. The few Tories that some time ago lurked among the bushes and swamps in several parts of this State now find themselves unsafe, and wish either to make their peace with their injured countrymen, or retreat to places under American government, where they are not known, the latter many of those wretches have already done.

“A Colonel Black, with six or eight Tories, was the other day followed by means of a dog upwards of 100 miles, himself, and all his party would have been taken had not the horses of the pursuers failed. About the same time a small party of noted villains came out of the Indian grounds, burned some houses and committed other irregularities in the vicinity of Ninety-Six; they were immediately by the same means followed, and the whole killed and taken, except one who made his escape. We never before have had so well grounded an expectation of totally freeing the country from a few villains, common enemies to all civilized government, and who are devoid of every good principle.”

“The late scheme of training dogs to follow human track succeeded beyond our most raised expectations, a little attention in raising some of the most sagacious of that kind in every neighbourhood would more conduce to the safety of the inhabitants than any embodied parties of men. When any rascal knew that he would be followed in all his windings, he would be very cautious of entering such a part of the country, knowing that he would have but little chance to escape.

*From the Martinique Gazette.*

“St. Pierre's, March 28. Agreeable to some new directions from the Ministry, both particulars and clauses of which we are at present ignorant of, the French flag is ordered to be hoisted again upon the forts of St. Eustatius.



*From the SOUTH CAROLINA GAZETTE.*

*Parker's Ferry, (South Carolina)*

June 15. General Marion permitted the heads of the people on Little Pedee, to have an interview with him on the 8th instant, in consequence whereof, they, ashamed of the impropriety, folly, and rashness of their own conduct, as well as thoroughly convinced of the numberless deceptions and selfish designing artificers of the British, to whom they had been so long such evident dupes and catspaws, have desired to be received again into the favour of their country, which has been granted them on conditions which will speedily be made public.

*Charles-Town, June 29.* The following is a copy of the treaty alluded to by the editor of the *Parker's Ferry Gazette*, when he speaks of the submission which he supposes to have been made by our friends in Little Pedee :

Articles of treaty between General Marion, in behalf of the state of South Carolina, and Major Ganey, and the inhabitants under his command, which were included in the treaty made the 17th day of June, 1781.

Article 1. Major Ganey and the men under his command to lay down their arms, as enemies to the state, and are not to resume them again until ordered to do so, in support of the interest of the United States, and of this state in particular.

II. We will deliver up all negroes, horses, cattle, and other property that has been taken from this or any other state.

III. We will demean ourselves as peaceable citizens of this state, and submit ourselves to be governed by its laws, in the same manner as the rest of the citizens thereof.

IV. We do engage to apprehend and deliver up all persons within our

district, who shall refuse to accede to these terms, and contumaciously persist in rebellion against this state.

V. We will deliver up, as soon as possible, every man who belongs to any regular line in the American service, and every inhabitant of North Carolina, this, or any other state, who have joined you since the 17th of June, 1781, when the former treaty was made, or oblige them to go out of the district, and whenever they return, to take and deliver them into safe custody in any jail within the state.

VI. Every man is to sign an instrument of writing, professing their allegiance to the United States of America, and the state of South Carolina in particular; and to abjure his Britannic Majesty, his heirs, successors, and adherents, and promise to oppose all the enemies of the United States, and the State of South Carolina in particular.

VII. All arms, ammunition, and other warlike stores, the property of the British, to be delivered up.

VIII. The above seven articles being agreed on, they shall have a full pardon for treasons committed by them against the state, and enjoy their property, and be protected by the laws thereof.

IX. Such men who do not chuse to accede to these articles, shall have leave to go within the British lines, and to march by the 25th instant, and be safely conducted with such of their wives and children as may be able to travel, and carry or sell their property, except cattle, sheep, and hogs, which they may dispose of, but not carry with them. Such women and children who cannot be removed, may remain until the first day of September next. The officers to keep their pistols and fide arms; all other arms to be disposed of, and not carried with them. Each field officer and Captain to retain one horse, not exceeding twelve in the whole;

whole, and no other person to take with him any more horses that may be fit for dragoon service within the British lines.

We have agreed to the before-mentioned nine articles, and have signed the same at Birch's Mill, on Pedee, this 8th day of June, 1782.

FRANCIS MARLON, Brig. Gen.  
State of South Carolina.

MICAJAH GANEY, Maj. Loyalists, Pedee.

These terms were so universally disapproved of, that an officer and 15 men, having offered to proceed to Charles-Town, in compliance with the 9th article, had their horses and arms seized by the militia, who declared they would suffer no person to go to Charles-Town; but would oblige every man to stay and abide the issue of the contest; at the same time threatening to put to death those who should join the enemy.

*Extract of a letter from Savannah, July 3.*

"The Creeks have behaved most nobly. Hearing their friends in Savannah were closely besieged, about 160 of the principal men in their nation, led by Emistefeguo, determined to make their way to this place, to share the fate of their friends, or perish in the attempt. On the night of the 24th ult. they attacked Wayne's camp, at Mrs. Gibson's, with such vigour, as to rout his whole army, took his cannon, camp, &c. The enemy rallied, and their cavalry coming up at the same time, the Indians, after a warm conflict, retired a little way to a swamp on their left, and returned again to the charge. They a second time got possession of the enemy's field pieces, but the brave Emistefeguo, and some others of the principal chiefs, having fallen, the Indians at last retired, and got into town in the morning. The rebels acknowledged that their loss exceed-

ed 30, among them three officers. Other accounts say, their loss in killed, wounded, and missing, exceed 100. Wayne's horse was shot under him."

*Charles Town, July 3.* In the course of one of the above actions, a single combat was fought between the Indian Chief and the American General. Wayne's horse was shot under him, and the tomahawk of Emistefeguo was uplifted, and in the moment of putting an end to his existence, when, at that instant, a rebel dragoon came up, and saved the life of his commander, by dispatching the Indian warrior with his sword.

*Extract of a letter from Dover, August 4.*

"Arrived the ship Lord Germain, Captain William Thourburne, in six weeks, from Charles-Town, South Carolina. In her Lieutenant-Colonel Macpherson, of the 71st, Lieut. Wynyard, of the 33d, and Lieut. Sir Egerton Leigh, of the 37th regiment, came passengers, and by her we have the following intelligence:

"That on the 17th of June, 36 sail of transports, under the convoy of a 50 gun ship and three frigates, had arrived off Charles-Town bar, from New-York, and sailed from thence the 22d, for Savannah, for the purpose of carrying off that garrison and St. Augustine. That a brig had arrived on the 21st at Charles-Town from Savannah, by which a merchant in town received a letter from his correspondent, acquainting him, that the merchants and principal inhabitants, on hearing of the resolution of evacuating the province of Georgia, waited on the Governor and Brigadier-General Clarke, to request permission to apply to General Wayne, in order to try if they could procure any terms for the security and preservation of their properties and effects; which being

being granted, they sent a deputation from their number, with a flag to the rebel General, who returned them for Answer, "That should the British garrison eventually effect an evacuation, the persons and properties of such inhabitants, or others, who choose to remain in Savannah, will be protected by the military, and resigned inviolate into the hands of the civil authority, which must ultimately decide. Given at Head Quarters, at Sharron, 17th June, 1782.

"ANTHONY WAYNE, B. G.  
Commanding in Georgia."

"That the inhabitants and merchants having sent a second flag out, General Wayne, at the desire of the civil authority, sent them for answer, "That the merchants, not owing allegiance, to the United States, will be permitted to remain a reasonable time, to dispose of their goods, and settle their affairs. This is as far as General Wayne can engage," Major Habersham, who was charged with the last message, pledged himself, that they might rely with the utmost confidence on the terms promised them."

*Peck's Kill, (New-York) June 4.* Last Saturday the reverend synod of New-York, and Philadelphia, appointed a committee of their body to wait upon his Excellency the Minister of France, with the following address, which was accordingly presented:

To his Excellency the Minister of France.

"Sir,

"The synod of New-York and Philadelphia, beg leave to congratulate your Excellency on the auspicious birth of the Dauphin of France; and by your means to communicate to your Sovereign the interest which they take in every event, with which his honour or happiness is connected.

"They have the rather chosen to embrace the opportunity which their being met at this particular season offered them, that they might counteract the insidious designs of the common enemy, and defeat the attempt now making to divide, in order to destroy us.

"It is their wish, therefore, that this address may be considered as a public testimony of their approbation of the alliance with France, entered into by the United States, and their sense of the advantages which America has already derived, and still hopes to receive from it.

"They will not cease to pray to the God of Grace, that the illustrious ally of these states, and his posterity to the latest ages, may be distinguished at home and abroad, as the supporters of liberty and justice, as the friends of mankind, and deliverers of the oppressed.

"Signed in the name, presence, and by appointment of synod, by

JAMES LATTA, Moderator."  
*His Excellency was pleased to return the following answer:—(Translation.)*

"Gentlemen,

"It is with the greatest satisfaction that I undertake to transmit to the King my master, the congratulation of the synod of New-York and Philadelphia, on the birth of Monseigneur the Dauphin.

"I can give you the strongest assurance that his Majesty will receive with the greatest pleasure, this testimony of the interest which that respectable body takes in his happiness.

"The advantage which I have enjoyed, of living among you several years, hath perfectly satisfied me of the attachment of all orders of citizens to their independence, and to the alliance which is the support of it; no one could have the least doubt on this subject, without be-  
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believing the people of the United States were destitute of virtue, patriotism, and of the knowledge of their true interest. But it is necessary to undeceive even our enemies themselves; and the sentiments of that enlightened body in whose name you present this address, are, gentlemen, extremely proper to convince them of the impossibility of spreading among you the seeds of dissension.

The Divine Providence will bring to perfection this work, which it hath hitherto so happily protected; and as the alliance is established upon justice and the good of mankind, it will be as permanent as the foundation upon which it is built."

*Hague, Aug. 27.* Mr. Adams has been in conference with the committees of their High Mightinesses. As soon as the Prince Stadtholder was informed of the fleet of the Republic being before Goats, he dispatched a courier, with orders for them to put to sea again; but the badness of the weather rendering it impossible, his Serene Highness made a report to the secret committee, and informed them of his intention of repairing to the Texel to concert with Admiral Hartink; on the most prudent measures for the fleet's going on a cruise as soon it should be practicable. His Serene Highness is expected to return from the above port this evening.

On the 14th instant, the Prince Stadtholder made the following proposition to the deputies of their High Mightinesses:

"Having beheld for some time past, with much concern, that several ill-disposed persons have endeavoured to excite a suspicion in the minds of the public, respecting a pretended ill direction, and lenity in the operations of the war, which has been commenced without any just cause by the court of England against the Republic; particularly

blaming the inactivity of the navy; insinuating at the same time, that this lenity was to be imputed to a deficiency of orders on my part; endeavouring by these means to disgrace me in the eyes of all Europe, and to render me suspected by the citizens of the provinces, as if by an unjust attachment to the King or Ministry of England, I had neglected the proper means of annoying the enemy, and of protecting the commerce of the public. I should not have hesitated to have given your Noble Mightinesses information long ago, of the orders which I had issued to the different officers of the Republic, (for the justification of my conduct) and to have intreated your Noble Mightinesses to transmit them to the Lords States, if I had not justly found that by some unforeseen means the necessary secrecy would have been wanting, and the enemy would have been informed of the measures taken against them, particularly the operations of the present campaign, part of which has hardly been carried into execution, as also that which has been communicated to the court of France, and decreed upon in concert with that court. But having seen by the misfiring of the States of Zealand, the requisition which they make to your Noble Mightinesses, and learning that it might also take place in other provinces, I thought that my honour and reputation required that I should not delay any longer to communicate my orders, and to demonstrate that the want of activity or success in our operations could not be imputed to me. I cannot, however, yet inform you of what is to be executed in the remainder of this campaign; but as soon as it is concluded, I shall be ready to lay before you the orders which I have given. I shall still want some time to copy the papers relative to my justification, and I entreat your

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Noble

Noble Mightinesses to communicate my present intention to your respective constituents, flattering myself that I shall obtain their approbation."

WILLIAM PRINCE of ORANGE.

*East India House, Aug. 28, 1782.*

William Hornby, Esq. Governor of Bombay, in a letter dated 20th April, 1782, has transmitted to the Court of Directors the following intelligence, which he received from the various accounts collected from the other side of India.

That on the 9th of February, the ships under Captain Alms, with General Meadows, Colonel Fullerton, and 400 soldiers, arrived at Fort St. George. That on the 14th, at night, the French fleet anchored three leagues to windward of Fort St. George, and in the morning of the 15th they got under way, and advanced under an easy sail, and in order of battle: about two P. M. they bore away, and at four our Admiral made the signal for weighing, and the enemy saw his squadron under way, following, before sunset. The Admiral dispatched the Monmouth, Isis, and Seahorse, in pursuit of the French transports. The Isis took the Lauriston, of about 1500 tons, having on board several officers, near 200 soldiers; with a most complete and very large quantity of artillery, and other military stores, and 150,000lb. of powder. This transport got safe into the Road; the Isis, after clearing the Lauriston with much dispatch, was close upon two other transports, one of which had struck to her, but was not taken possession of when the signal for calling in cruizers, and forming the line of battle, was made from the Superbe, and the three cruising ships joined the squadron. On the 17th, Sir Edward Hughes formed the line of battle. The van consisted of the Eagle, Monmouth, Worcester, and

Burford; the Superbe in the centre, and the Hero, Exeter, Monarca, and Isis, in the rear. Monsieur Suffrein led the van of his own ships; but instead of leading up his line to the van of ours, he stopped short at our Admiral's ship, followed by seven more, which supported him, and also engaged with the four sternmost of ours, but carefully avoided a close action. This attack was chiefly directed at the Superbe and Exeter, the Admiral's and Commodore's ships; each had two, and the Commodore had sometimes three of them to deal with. The Exeter was in imminent danger of falling into the enemy's hands, till Captain Gell, in the Monarca, came to her assistance, and poured such an incessant force of fire into the ship that was engaged with her, as does a great deal of honour to himself, his officers, and people. By this manœuvre of Monsieur Suffrein, our four excellent ships, with their tried commanders in the van, were rendered totally useless, and yet it does not seem that he gained any other advantage than saving his own force entire. After an engagement of upwards of two hours the enemy ceased firing, and hauled off after their transports. What damage they sustained does not seem to be exactly known, though by the account of four seamen who were taken in the Hannibal, and made their escape from Monsieur Suffrein's ship, it appears that the French fleet had suffered much; the Hero and Hannibal in particular received a great deal of damage in their hulls, as well as in their masts and rigging. That the Hero had sixty men killed, and a much greater number wounded, and that another seventy-four gun ship lost as many, besides her Captain. Our loss in the engagement, is Captain Stevens, of the Superbe, and Captain Reynolds, of the Exeter; with two officers of the 98th regiment, and thirty-two killed;

killed; two officers of the *Superbe*, and two officers of the *Exeter*, with 95 wounded, chiefly belonging to those two ships. Every body speaks well of the Admiral's cool and steady conduct.

Sir Edward Hughes, after the action, proceeded to Trincomalee to repair his damages, and having refitted, he returned to Fort St. George the 10th of March. The French fleet lay off Pondicherry the 24th of March.

Monsieur Suffrein's fleet consisted of ten sail of the line and two fifties; and the fleet under the command of Sir Edward Hughes of eight sail of the line and one fifty.

The Royal Admiral and Neptune sailed from Bombay for Calcutta, the former on the 5th, and the latter on the 26th of April.

#### VOLUNTEER DELEGATES.

At a meeting of Delegates from sixty-five corps, reviewed near Belfast, July 31, and 1st and 2d of August, 1782,

Colonel STEWART in the chair, Resolved unanimously, That the following address be signed by our Chairman, and presented to the Earl of Charlemont, General of the Volunteer army in the province of Ulster.

My Lord,

We have had the honour of seeing you thrice our reviewing General: your great and respectable character led us first to request your reviewing us, and afterwards to renew our election. We will not use many words, for words are inadequate to our ideas. We feel that you have been among the foremost in obtaining the rights of your country, and we are convinced that your feelings will do justice to our sentiments.

R. STEWART, Chairman.

Resolved unanimously, That the thanks of this meeting be returned to Major Dobbs, our exercising

officer, for his excellent plan of review, and his great ability and propriety of conduct in the execution of it.

R. STEWART, Chairman.

Colonel Stewart having left the chair, and Lieutenant-Col. Dobbs having taken his place,

Resolved unanimously, That the thanks of this meeting be presented to Colonel Stewart, for his very proper conduct in the chair.

Resolved unanimously, That the thanks of this meeting be presented to the light infantry of the first Belfast company, for the polite attention of mounting guard.

RICHARD DOBBS, Chairman.

To the DELEGATES of the volunteer army reviewed at Belfast, on the 31st of July, and on the 1st and 2d of August.

Gentlemen,

Whatever pleasure I must at all times have felt in seeing you under arms, I have upon this late occasion beheld your array with redoubled delight; not so much on account of your perfect discipline, and your astonishing success in the new line of military manœuvre, which you have now for the first time adopted, as from that association of ideas which, must naturally arise in my mind, when I contemplate in your array one principal cause of those glorious events by which the constitutional rights of my country have been vindicated, and her liberty restored. When I view not only as men who deserve to be free, but as an army of freemen—not only as the assertors, but as the restorers of Irish freedom,—permit me then, my friends and fellow soldiers, with an exultation of heart that baffles all expression, to congratulate you on the late happy and glorious change in the constitution of Ireland, with which Heaven has rewarded your virtue, assuring you that, as no man could more sensibly feel than I did

the depression of his country, so is there none who more gratefully acknowledges, and more sincerely rejoices in its present exaltation.

Give me leave from my heart to thank you for all your repeated favours, particularly for your kind and truly honourable reception of me as your General, and for the share you have had in exalting me to that high dignity; an elevation which leaves ungratified no wish of my ambition, excepting that of being able in some degree to merit it. By putting me at the head of an army of men whose spirit and whose principles have produced such wonderful effects, you have fully, and in the strongest manner, declared your opinion of my principles, and of my spirit. Is there upon earth any honour which can equal such an opinion from such men? Yes, my kind and generous countrymen, one honour there is which fully equals, and perhaps surpasses it, and that also your lavish goodness has conferred on me, by ranking me among the foremost in obtaining the rights of Ireland; rights which our joint efforts have obtained, and which shall never again be wrested from us. If the most ardent zeal in a cause, the prosperity of which has ever been the first object of my soul, can stand in the place of ability, I may indeed have deserved this first of all commendations, since in that species of merits I will yield to no man. But the deed rewards itself, and the ample success with which my wishes have been crowned, would have far overpaid all my desert, even though my kind and partial country had not in addition heaped upon me a succession of honours, which I never could deserve, and never shall forget.

I have the honour to be Gentlemen,

Your most obliged, faithful,

And obedient humble servant,

Aug. 4, 1782. CHARLEMONT.

#### LISBURN FUSILIERS.

At a meeting of the Lisburn Fusiliers, August the 7th. 1782.

Capt. W. TODD JONES in the chair,  
The following address was moved for, and unanimously voted for  
HENRY FLOOD, Esq.

SIR,

Admit the general satisfaction diffused by the presence of such an exalted character at our late review at Belfast, permit us to express what we felt on that interesting occasion.

We revered the man who sacrificed the first office in this country to his integrity and independence in the senate; but we recollected with regret the unjust disposal of that office to a person whom as long as we shall condescend to remember who were our enemies in the British Parliament, we must continue to behold with contempt and indignation.

We felt ourselves new animated when we beheld the man who stepped forth and exposed the insufficiency, and the imperfections in the amendment of the law of Poyning's; and in the pretended recovery of our ancient constitution, by the repeal of a single oppressive British act; and to whom we are indebted for that wise, patriotic, but unsuccessful motion in the House of Commons on the 15th of July, for obtaining a declaration and permanent evidence of the rights of Ireland, by her own Parliament and Sovereign.

Continue, Sir, to persevere in this glorious object, a just, accurate, and comprehensive bill of rights:—Satisfied of the good will of Britain towards us, nothing but our own ignorance or supineness can prevent such ratification of Hibernian liberties.

To you we look for it—for in you we behold the penetrating mind of a Milton, waiting with patient, conscious dignity for that eternal brightness, which secret envy—smarting wounds

wounds—and ignorant fenates would impotently deny to a name, beyond which, in Irish annals, no fame shall reach, and no character shall be remembered.

*Dublin, Aug. 22.*

STRABANE REVIEW.

At a meeting of the officers of the volunteer army at Strabane, on the 18th and 19th of July, 1782, Col. JAMES ALEXANDER in the chair.

*To General Earl of CHARLEMONT,*

MY LORD,

We beg leave most respectfully to assure you, that we, and the corps to which we belong, are very sensible of the honour of being reviewed by your Lordship upon the present occasion. However imperfect we may have appeared to you in a military capacity, we wish to excel, and are particularly ambitious to merit your Lordship's approbation. Tho' from our situation, it cannot be expected that we shall be complete soldiers, we feel with conscious pride, that we continue to be animated by the spirit and principles which have ever distinguished Irish volunteers. How delightful, my Lord, to that spirit, and to those principles, that we have lived to see the day, the happy, the glorious day, which is now opening to our view, the prospect of a perfect emancipation from every bond; that we have lived to be inspired by the pleasing hope of seeing Ireland, our beloved country, regain her lost honour, her name, her just and original rights, the respectable consequence to which she is entitled amidst the nations of Europe. Next to the auspicious 15th of February, the 16th of April, 1782, will shine in the annals of the nation with resplendent lustre. Supported by the prudence, by the magnanimity of our fellow citizens in arms, and by the determined, unanimous sentiments of the people, then it was that our Parliament represented our

grievances to Majesty, with a dignity becoming the Peers of Ireland, and worthy of the representatives of a nation born to enjoy the privileges of freedom. Permit us, my Lord, to dwell for a moment on this important transaction, and its immediate consequences: they shed the first general ray upon our prospect, and are the foundation of our consequence. Upon that memorable occasion the Lords, in their address to the Throne, with a view to the repeal of the 6th of George the First, declared it to be a grievance; asserted that Ireland is an independent kingdom, and that none but our King, with our Lords and Commons, are competent to make laws to bind us. We are happy, my Lord, that upon the same subject, the Commons in their address are full and explicit; that they denied any Parliament, except our own, to have power or authority, of any sort whatsoever, in this country; that they declared this principle to be the very essence of our liberties, a principle not to be yielded up but with their lives. It gives us particular pleasure, that their reasons for desiring a repeal of the English Declaratory Act, so expressly point out the claims of the British Parliament to legislate for us, which it advances, as that which makes it injurious to our rights, and the chief cause of the discontents and jealousies of this kingdom.

We could have no dependence on the faith of our sister country, as renouncing all pretensions of making laws to bind Ireland, did we imagine that she made, with respect to us, the least distinction betwixt the right of external and internal legislation; a distinction which we have ever reprobated, being founded on usurpation, and totally inconsistent with our privileges.

The national benefits we have received, reflect particular honour upon the patriotic administration of the



the Duke of Portland, for whose personal virtues we have a high esteem, and to whose celebrated ancestor the friends of liberty in these kingdoms; at a most critical period, were exceedingly indebted.

Our loyalty to the King, we trust, we shall always retain with unremitting zeal, whilst we retain the firmness and the principle, which, by the blessing of Providence, has been the means of this great revolution. You, my Lord, who have had so large and honourable a share in it, must feel the advantages resulting from it to your country, with exquisite sensibility. With the warmth of respect and affection, we thank your Lordship for the public spirit, for the steady persevering exertions in behalf of the rights of Ireland, by which you have been so eminently distinguished. Sentiments inspired by such obligations cannot be transient; they will accompany us to the grave, and our children's children, exulting in the blessings of freedom, for which you have so nobly contended, will remember the virtues of Charlemont with esteem, with gratitude, and veneration.

JAMES ALEXANDER, Chairman.  
To the officers of the Volunteer Corps reviewed at Strabane on the 18th and 19th of July, 1782.

GENTLEMEN,

As in every communication with my friends, it is necessary for me to follow and obey the immediate impulse and dictates of my heart, I find myself compelled, previous even to the acknowledgments which are so justly your due, to pour forth my soul in those seasonable congratulations, which are and ought to be the peculiar topic of every communication between Irishmen at this auspicious period. Yes, my dear countrymen and fellow soldiers, your virtuous efforts have prevailed, and you are now free, in which comprehensive word every species of happiness

and of prosperity is virtually included. Your gracious Sovereign, aided by the counsels of a wise and just Administration, and supported by the affectionate feelings of our beloved sister country, has kindly yielded to the unanimous wishes and rightful claims of Ireland and its Parliament, and every thing essentially noxious to your constitutional rights is now done away, some internal regulations alone excepted, which must necessarily take place under the influence and national spirit, through the firmness and wisdom of your representatives, whose successful unanimity has pledged them to proceed in the great work of perfecting the constitution. The two kingdoms are now united by the indissoluble bonds of mutual liberty and consequent affection, the only tie by which freemen can be joined, and may they ever remain so to the firm establishment of their perpetual prosperity, and to the terror of all their enemies.

With you, my dear countrymen, I sincerely concur in consecrating to eternal memory the glorious 15th of February, 1782, conscious as I am of the salutary effects produced by the proceedings of that day; and with you I reprobate the distinction between external and internal legislation, a distinction, however, which I trust will never be insisted upon, and which, I am confident, only exists in the crude idea of a few imprudent individuals.

What you mention respecting our present excellent Chief Governor, affords me the highest satisfaction, as our sentiments perfectly agree—I have had much experience of his character. He is a man whose mind cannot be debauched or warped even by his station; a statesman without disguise, and a politician without deceit. Superior to all little arts, he knows no other method of carrying a point, but to shew those whom

he is appointed to govern, that he labours only for their advantage. Born a Whig, and educated in the school of true policy, his hereditary love of liberty is heightened and adorned by the peculiar qualities and graces of his judgment and of his heart; and I am confident that he will ever esteem it the happiest and most glorious event of his life, that he was called upon to announce and to establish the freedom of a nation. Such is the man who now rules over us. Heaven, in its approved goodness to this country, grant that he may long remain our Governor!

Give me leave in the next place to congratulate you upon the appearance you have made at this late review, and to assure you, that it has exceeded even my sanguine expectation. When I last saw you, I thought your discipline complete; but you, I find, have the faculty of going far beyond my ideas of perfection. I will not attempt to explain to you the feelings of my heart upon the subject.—Indeed it is unnecessary. Let my delight at being an eye-witness to your exertions be measured by that which I must feel from the effects which those exertions have produced. Yet though, after having been gratified in the great object of your wishes, contentment is a virtue necessary not only to your own happiness, but to the welfare of the state, let not that induce you in any degree to relax in those strenuous efforts, which have hitherto marked your name with honour. The defence of your country calls for your perseverance; and freedom, however well established by law, must ever be precarious, if the people are not able to protect their rights.

Please to accept my most sincere acknowledgments for the kind warmth of your address, and particularly for the honourable share you have allotted me in the great revolution which has been lately pro-

duced. If I have had any share in these wonderful occurrences, the only merit I can arrogate to myself is, that I was willing—That I have been able, my virtuous fellow-soldiers, is your gift.

I have the honour to be,  
Gentlemen,  
your most obliged, faithful,  
and obedient humble servant,  
CHARLEMONT.

#### GALWAY VOLUNTEERS.

At a general quarterly meeting of the county of the town of Galway independent corps of volunteers, held at the Tholsel in Galway, the 12th day of August, 1782,

Col. RICHARD MARTYN  
in the Chair,

Resolved unanimously, That an address be presented to Col. Henry Flood, approving of his parliamentary conduct, and that a committee be appointed to draw up the same: pursuant to which resolution, the following address was unanimously agreed to:

To Colonel HENRY FLOOD.

SIR,

We behold you an example of the brightest virtue, and we look up to you as the wise and real asserter of the rights of Ireland. You have proved, that an office of the first emolument in the state, could not warp the integrity of your heart; and, unrewarded by Crown or the People, we see you, at this instant, persevering to obtain for this country, what alone can be satisfactory, an unequivocal renunciation of British claims to legislate for her.—Struggling as you have been against the popularity of the moment, tho' in the cause of the people, we think it our duty to shew you, that there are not wanting numbers sufficient to support you in your truly honourable and laudable efforts. Persevere in the glorious cause in which you have embarked; and you, Sir, whom  
temporary

temporary motive can neither deceive nor alter, may rest assured of that recompence, which, to a mind like yours, must be most grateful—the sincere applause of your admiring countrymen.

May you, Sir, long live to exert those uncommon abilities, with which Providence (happily for Ireland) hath adorned you. We are firmly persuaded, that those abilities were never more necessary to your country, than at this momentous crisis, when the grand object of all our exertions—(the establishment of the freedom and independence of Ireland, on a permanent basis) after being brought within our grasp, is in danger of being lost, perhaps for ever, by resting our external, as well as internal legislation, on the slender foundation of implication.

Signed by order,

RICH. BURKE, &c.

1st. Resolved unanimously, That Col. Henry Flood be, and is hereby appointed, an honorary member of this corps.

2d. Resolved unanimously, That the thanks of this corps be presented to Col. Martin, for his readiness in assisting and presiding at this meeting, and for the propriety of his conduct in the chair.

3d. Resolved unanimously, That the thanks of this corps be presented to Lieutenant-colonel Patrick Blake, for his faithful conduct as our National Delegate; and we further think, that he merits the highest applause, for his having patriotically proposed, as his successor, Henry Flood, Esq. a gentleman so eminently distinguished for his abilities in support of the constitutional rights of this kingdom.

4th. Resolved unanimously, In consequence of Lieutenant-colonel Patrick Blake's voluntary patriotic resignation of the office of National Delegate, that Col. Flood be requested to act as one of our representatives in the National Committee.

5th. Resolved unanimously, That our Colonel be required to communicate to Col. Flood the foregoing address and resolutions; and that the same with Col. Flood's answer, be published in the Dublin and Galway Evening Posts, and Connaught Journal. Signed by order,

RICH BURKE, Sec.

*From the LONDON GAZETTE, Aug. 10, 1782.*

*Whitehall, Aug. 10, 1782.*

The King has been pleased to grant the dignity of a Baronet of the kingdom of Great Britain to Francis Geary, of Polesden in the county of Surry, Esq. Admiral of the White Squadron of his Majesty's fleet, and to the heirs male of his body lawfully begotten.

The King has been pleased to present the Reverend David Meyrick, batchelor of arts, to the rectory of Lutterworth in the county of Leicester and Diocese of Lincoln, void by the death of the Reverend Mr. Billio.

The King has been pleased to grant to the Reverend Mr. Denny Martin, of Leeds in the county of Kent, and his issue, (pursuant to the will of his late uncle Thomas Lord Fairfax, deceased) his royal licence and authority to take and use the surname and bear the arms of Fairfax, such arms being first duly exemplified according to the law of arms, and recorded in the Herald's office; and also to order, that this his Majesty's concession and declaration be registered in his college of arms.

*Dublin Castle, July 29, 1782.*

His Grace the Lord Lieutenant was pleased to confer the honour of Knighthood on Doctor Robert Scott, at the levee on Sunday last.

*Dublin Castle, July 31, 1782.*

His Grace the Lord Lieutenant has been pleased to appoint Edward Crofton, Esq. to be a Governor of the county of Roscommon.

From the LONDON GAZETTE, Aug. 16.

At the Court at St. James's, the 16th of August, 1782, present, The King's Most Excellent Majesty in Council,

His Majesty having been pleased to appoint John Parr, Esq. to be Captain-General and Governor in Chief of his Majesty's Province of Nova Scotia, and the islands and territories thereto belonging, in America, he this day in Council took the oaths appointed to be taken by the Governors of his Majesty's plantations.

*Whitehall, August 17.*

The King has been pleased to grant to William Catchmayd, of the town of Monmouth, Esq. and his heirs male, (pursuant to the will of Mary Chester, late of Knowle in the county of Gloucester, widow, deceased) his royal licence and authority to take upon him and themselves the surname of Gwinnett only, and also to bear the arms of Gwinnett; such arms being first duly exemplified according to the laws of arms, and recorded in the Herald's Office; and also to order that this his Majesty's concession and declaration be registered in his College of Arms.

Admiralty-Office, Aug. 15, 1782.

*Extract of a Letter from Captain*

MELCOMBE, *Commander of his Majesty's sloop Cormorant, to Mr.*

STEPHENS, *dated off Cape Clear, July 30, 1782.*

This morning, Cape Clear bearing E. N. E. 8 or 9 leagues, we fell in with and took Le Temeraire, a French sloop of war of 10 six-pounders, and 50 men, commanded by Monsieur Le Fer, Lieutenant de Frigate, out of Brest nine days, with dispatches for the combined fleets, which were thrown overboard, with his papers, log-book, and 8 guns.

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Admiralty-Office, Aug. 16, 1782.

*Extract of a Letter from Captain JOHN MOUTRAY, Commander of his Majesty's ship Vengeance, to Mr. STEPHENS, dated off the Lizard, August 10, 1782.*

Be pleased to inform their Lordships, that at 8 A. M. on the 9th instant, being 30 leagues W. N. W. off Scilly, we gave chase to a cutter, which we captured after a chase of six hours, and found her to be the Dogger-Bank, of Flushing, mounting 20 guns (18 six and 2 twelve pounders, which she threw overboard in the pursuit) and 90 men, commanded by one James Pile: She had left Flushing about six weeks, and had taken three prizes, all of which were retaken.

Admiralty-Office, Aug. 17, 1782.

*Extract of a Letter from Admiral PIGOT, Commander in Chief of his Majesty's ships and vessels at the Leeward Islands, to Mr. STEPHENS, dated on board the Jupiter, St. John's Road, Antigua, June 29, 1782.*

Close in with St. Lucia I took a schooner, from St. Pirnes in Martinico, bound to Tobago. She had a Captain and two Lieutenants of the troops on board, a chest of three thousand dollars for paying the troops, and a cargo of flour and beef. She is called the Charmante, and has a commission as a King's vessel.

From the LONDON GAZETTE, Aug. 20.

*Whitehall, August 20.*

The King has been pleased to order a Conge d'Elire to the Dean and Chapter of the Cathedral Church of Llandaff, for electing a Bishop of that see, the same being vacant by the translation of the Right Reverend Father in God Dr. Shute Barrington, late Bishop thereof, to the Bishopric of Salisbury; and also a

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letter to the said Dean and Chapter, recommending the Rev. Richard Watfon, Doctor in Divinity, to be by them elected Bishop of the said see of Llandaff.

The King has been pleased to grant to Ann Sleigh, spinster, and the heirs male of her body (pursuant to the will of John Lindley, late of Skigby in the county of Nottingham, Esq. deceased) his royal license and authority to take and use the surname of Lindley.

The King has been pleased to appoint William Wyndham Grenville, Esq. to be of his Majesty's most Honourable Privy Council in the kingdom of Ireland.

*Dublin Castle, Aug. 13.*

Yesterday, being the anniversary of the birth-day of his Royal Highness the Prince of Wales, the flag was displayed on Bedford Tower; the great guns at the Salute battery, in his Majesty's park the Phoenix, were fired three rounds, and answered by volleys from the regiments in garrison, which were drawn out in the Royal Square at the barracks; and at night there were bonfires, illuminations, and other demonstrations of joy, throughout this city.

*From the LONDON GAZETTE, Aug. 24, 1782.*

*Constantinople, July 24.* Our apprehensions with regard to the plague are fully confirmed by many accidents which have happened in different parts of this residence, and in two Greek villages, situated on the canal. It is probable the disorder was brought hither from Ceres, nigh Salonica, (where it has broken out with violence) as it was at first confined to the people who trade in those parts. At present it begins to spread, and, as the weather is very moist and unsettled, there is great reason to fear it will become general.

Yesterday evening, about six o'clock, a fire broke out at Con-

stantinople, in a quarter called Batta, mostly inhabited by Jews. As the wind was rather high, the flames spread with such rapidity, that, notwithstanding every effort, in about three hours the whole city was threatened with destruction. It is impossible to paint the horrid scene exhibited by this alarming conflagration, which raged with equal violence for about fifteen hours, and spread through one of the most inhabited parts of the town. The number of houses destroyed is computed at ten thousand, besides mosques, churches and other public edifices.

At this instant (three o'clock P. M.) the fire, which had appeared nearly extinguished, broke out anew in three distinct places, and proceeds in different directions. The wind, which had fallen, is again pretty high, and the greatest apprehensions are now entertained for the fate of the city. The Grand Signior, Vizir, and all the Grandees, have attended these seventeen hours, to encourage the exertions of the people to check the progress of the flames.

*St. James's, August 24.*

On Tuesday last, between four and five o'clock in the afternoon, died his Royal Highness Prince Alfred, his Majesty's youngest son, to the great grief of his Majesty, and all the Royal Family.

It having been agreed by their Majesties, that the interment should be conducted in the most private manner, orders were given that on Monday night at twelve o'clock, the 26th. (and not till then,) the body of His Royal Highness Prince Alfred, should be removed from Windsor to the Queen's House, Buckingham Gate, previous to the same being deposited in the family vault in King Henry the VIIth's chapel. A party of the light horse accordingly attended, and conducted the corpse

to

to town. At five o'clock in the morning of the 27th, part of the troop doing duty at the Horse-Guards, went to the Queen's House; a coach, with proper attendants within, received the body, and the same was carried through the Bird-Cage Walk, Great George Street, and Palace Yard, to the east door of Westminster Abbey, where it arrived at a quarter before six. As soon as the coffin was taken from out of the coach, it was put on a bier, the better to enable six yeomen of the guard to carry so light a burthen. General Carpenter, attended by the Bishop of Rochester, (Dean of Westminster), Dr. Bell, and Dr. Finch (Prebends), in their robes, with other officers of the church, received the body, and were immediately joined by the Duke of Manchester, Lord Chamberlain of the Household: the corpse was followed by six gentlemen ushers in black and swords. When they arrived at the foot of the vault, the mourners and attendants dividing, themselves on each side the grave, the Bishop proceeded to read the service, which being ended, the company retired, and the workmen were immediately directed to close up the vault; this was finished before nine o'clock, to the great mortification of the curious of both sexes, who came to take another peep at the collection of our royal ancestors. The young Alfred is placed on the side of his grandfather. No part of the funeral service was sung, nor was the organ any ways made use of, upon this occasion.

*From the LONDON GAZETTE, Aug.*

27.

*Constantinople, August 1.*

The conflagration which raged in the center of this city on the 24th ult. was fortunately stopped at eight

o'clock the same evening; and though it broke out again in different parts of the ruins, it was totally got under by eleven. The Grand Signior remained on the spot upwards of 22 hours. It was at first reported that upwards of 20,000 houses had been reduced to ashes, and that great numbers of Janissaries and others lost their lives by the rapid progress of the flames, which in different places proved fatal to the workmen; it is however to be hoped that these accounts are greatly exaggerated, and that the number of houses actually destroyed may be reduced to about 9000, three fourths of which were very small, and inhabited by the poorest sort of the inhabitants.

The plague seems to be almost suspended here by a few days of excessive hot and dry weather; but no letters have been received for this week past from Smyrna or Salonica.

*Lord Chamberlain's Office, Aug. 27, 1782.*

Orders for the Court's change of mourning on Sunday next the 1st of September, for the late Queen Dowager of Sweden, viz.

The ladies to wear black silk or velvet, coloured ribbons, fans and tippetts, or plain white, or white and gold, or white and silver stuffs, with black ribbons.

The men to wear black coats, and black, or plain white, or white and gold, or white and silver stuff waistcoats, full trimmed, coloured swords and buckles.

And on Thursday the 5th of September the Court to go out of mourning.

*London, August 30.*

The Royal George, of 100 guns, having on her last cruise made more water than usual, which had not de-

K k 2

created

creased when she came into harbour, an order was given on Saturday last, the 24th, for her to come into dock; but the carpenter, and other persons, on a strict survey, found it was not more than two feet below the water-mark, and was supposed to be occasioned by the rubbing off the copper sheathing. It was then resolved, in order to save time, to heave her down at Spithead. This is generally accomplished by bringing the ship's guns to one side, and *heeling* her till the place where the damage is supposed to be, appears above water. On Thursday morning the 29th, at six o'clock, the weather being moderate, this business was commenced, and the ship by ten was got to a proper situation for discovering the leak; but in order to take off some further sheets of copper, to caulk the seams properly, she was ordered to be lowered another streak. During this business, a great part of the crew, which were within sixty of her: real complement (nine hundred and seventy men) were at dinner; the messes having been just served out; on a sudden, by a gust of wind, as is reported, the ship fell on one side, and the lower deck ports being open, she filled in about eight minutes, and then went to the bottom.

At this moment there were upwards of 1200 souls on board, including 216 women and several children, chiefly belonging to the seamen who had been permitted to go on board when the ships cast anchor at Spithead, and to remain there until the order for sailing arrived. The people who were on watch upon deck, to the number of 230, were mostly saved by the several boats that came to their assistance; but these were delayed for a few minutes, by the swell occasioned by the sinking of so large a body, and which

occasioned a momentary whirlpool in the water. About seventy more of the people who rose after the ship disappeared, were also picked up, among whom it is said were four lieutenants, eleven women, and the rest seamen.

It is with concern we must announce the death of that able and gallant officer ADMIRAL KEMPENFELT. It is said he was in his cabin at the instant the ship overfet, and being unable to gain the deck, suffered with the rest.

Captain Waghorne was taken up by the Victory's boat, as was a few others.

Captain Waghorne, of the Royal George, brought the first advices to the Admiralty of the loss of that ship.

Numbers of the dead bodies were seen floating about the ships at Spithead, soon after the Royal George went down, which exhibited a scene too shocking for description.

The Royal George was the late Lord Hawke's flag ship in his celebrated engagement with *Conflans* in 1759, and was a remarkable tight ship, laying so snug in the water, that she appeared no larger than an 80 gun ship.

The Royal George was just twenty-seven years old at the time she was lost, having been launched at Woolwich in September 1755. She was built in four years, her keel being laid in 1751. The naval people say, she can be weighed up, if the weather proves favourable, in the course of a month.

*From the LONDON GAZETTE, September 3.*

*Whitehall, Sept. 3.* The King has been pleased to approve of the appointment of the Hon. Charles Howard, (commonly called Earl of Surry) to be Deputy Earl-Marshal of England.

*Berlin,*

*Berlin, Aug. 15.* The King of Prussia set out this Morning for Silesia, as did his Royal Highness the Prince of Prussia yesterday. His Prussian Majesty was accompanied by General Mullendorf.

*From the same.*

*St. James's, Sept. 4.* The King was this day pleased to confer the honour of Knighthood on Sampson Wright, Esq. one of his Majesty's Justices of the Peace for the counties of Middlesex, Essex, and Surry.

*Whitehall, Sept. 7.* The King has been pleased to nominate David Rae, Esq. to be one of the Ordinary Lords of the Court of Session in Scotland, in the room of Alexander Boswell, Esq. deceased.

The King has been pleased to appoint the Most Reverend Father in God Joseph Archbishop of Tuam, and Right Hon. John Earl of Clanricarde, to be of his Majesty's Most Honourable Privy Council in the kingdom of Ireland.

The King has been pleased to appoint Richard Tully, Esq. to be his Majesty's Agent and Consul-General at Tripoli.

*From the same.*

Admiralty-Office, *Sept. 10, 1782.*  
*Extract of a letter from Capt TROLLOPE, Commander of his Majesty's ship Rainbow, to Vice-Admiral Lord SHULDHAM, dated at Plymouth, Sept. 7, 1782, and transmitted by his Lordship to Mr. STEPHENS.*

I beg you will be pleased to acquaint my Lords Commissioners of the Admiralty, that we sailed from Plymouth on the 2d instant, to join Commodore Elliot, and on the 4th, at four A.M. the isle of Bas bearing south 6 or 7 miles, we discovered a sail to the westward, which we immediately gave chase to; at six, perceived her to be a frigate; at seven, having got within gun-shot, began firing our bow chacers; at half past seven she hoisted a French ensign,

and began firing her stern chase guns; at half past eight, being within hail, they luffed up, gave us a broadside, and struck their ensign; found her to be the Hébé French King's frigate, mounting 40 guns, 28 of which were French 18 pounders, and 360 men; had sailed from St. Malo the day before with a convoy for Brest, which, during the chase, they being close in shore, got into Morlaix. She was commanded by Monsieur De Vigny, Capitaine de Vaisseau, and of the order of St. Louis, who is slightly wounded; their second Captain and four men killed; their wheel shot away, and foremast badly wounded, which is the only damage she received. She is completely rigged, and well provided with stores of all kinds; was the first time of her ever having been at sea. We fortunately have received no other damage than one man killed.

The utmost praise is due to Mr. Lessly, the first Lieutenant, for his attention and activity, and also the officers and ship's company for their exertions during the chase; and I flatter myself they would have distinguished themselves had an opportunity offered.

I have the honour to be, &c.

H. TROLLOPE.

*Constantinople, August 9.* The plague, which had broken out here about 20 days ago, has been totally checked by the uncommon warm and dry weather which is now set in. The same effects have been produced at Ceres, and in the invirons of Salonica; but the distemper still rages in Cuban Tartary, particularly at Taman, where great numbers of people have perished.

*ORDINANCE, more affectually to prevent illicit trade with the enemy.*

Whereas a pernicious commerce is carried on by some of the inhabitants



tants of these United States with the enemy, by means of collusive captures on the water: for remedy whereof, be it ordained by the United States in Congress, assembled, and it is hereby ordained by the authority of the same, that whenever such collusion shall appear in evidence on the trial of any capture, the vessel and her cargo shall be adjudged and condemned as lawful prize, to the use of the state in which such trial shall be had; except in such cases, wherein any person or persons shall, before sentence or judgment given, interpose his or her answer, and claim charging the capture to have been collusively made, and shall support such answer and claim by sufficient proof. In which case the property captured shall be sentenced and adjudged as lawful prize, one moiety thereof to the use and behoof of the state into which the prize shall be carried for condemnation. Provided always, that in every cause of prize wherein no such answer and claim shall be interposed, or being interposed shall not be supported by sufficient proof, if the court shall, in their opinion have cause to suspect the capture to have been collusive; it shall demand of the captors sufficient proof, that the same was, bona fide, and not collusively made; and on failure of such proof, to the satisfaction of the court, such capture shall be deemed collusive, and the property so captured shall be adjudged and condemned as lawful prize, to the use and behoof of such state as aforesaid.

Done by the United States in Congress assembled, the 17th day of July, in the year of our Lord one thousand seven hundred and eighty-two, in the 7th year of our independence.

JOHN HANSON, President.

Attest.

Charles Thomson, Secretary.

*The following letter appeared in several of the London Newspapers, on the 9th of September, 1782.*

*New-York, July 24, 1782.*

DEAR SIR,

It is with particular pleasure that I embrace this opportunity of writing to you, as I know how sincerely you wish to see this country restored to the empire, and a perfect conciliation effected. Be assured the prospect is abundantly greater at this day than in any former period of the war: and what will add to your pleasure as a New England-man, will be, to hear that the reformation is like to commence in that quarter. All the provinces have declared sufficiently their inability to continue the war; for of the four millions of dollars which, by the resolves of Congress, ought to have been paid into the continental treasury before this day, twenty thousand only have been received, and these from three only of the states, Rhode Island, New Jersey, and Pennsylvania, the others, nothing. Notwithstanding which the General Assemblies of the States, southward of this, have, by the urgency of Congress, declared against holding any treaty with British Commissioners for a truce or peace, except with consent of their great ally; but none of the New England Assemblies have done this: they are rather determined to hold themselves free to see and hear for themselves, and to do what shall appear to them most for the public advantage. Scarce half the towns of the Massachusetts have sent representatives to the General Assembly this year, because they will not be accessory to any further imposition of taxes. In Worcester, and the western counties, they are holding conventions for public safety, and stopping the courts of justice. Two gentlemen, members of the Worcester Convention, are now here on

a visit to the commander in chief, on purpose to know what the country may expect from him, and what he wishes from them.

And a messenger is just arrived from the western part of New Hampshire, who says, that similar dispositions are prevailing in that country; the courts of justice are stopped there likewise, and the people say they will pay no more. He likewise affirms, that the state of Vermont has taken its resolution to be a British government; and that he was authorised from the principal people of that state to assure their friends, that before December the settlement would take place. We therefore flatter ourselves, that the war is drawing to a close, and that the remainder of the contest will be a contention of words, which I hope will end in such a free and generous system of government, as will unite all parties to perpetuate the happiness of both countries.

With the greatest consideration

And respect, I am, dear Sir,

Your most obedient,

And very faithful servant,

W. WALTER.

Sir William Pepperell, Bart.

Wimpole-street.

On the 10th of September, 1782, the following Letter appeared in the London Newspapers, in support of the preceding letter :

" Having been called upon to communicate the contents of a letter said to have been received by me from a correspondent at New-York, I think it incumbent upon me to inform the public through the medium of your paper, that the letter alluded to was not addressed to me, but to my brother, Sir William Pepperell; at the same time I think it my duty to declare, that I have heard the letter read, and though the contents are not entirely analogous to the information, I have the peculiar

satisfaction of assuring the public, that the intelligence received is of equal importance to the British empire. It is painful to me to be restrained from entering into particulars on this joyful occasion; but as my brother thought it indispensibly necessary to dispatch his correspondent's letter instantly to the Right Hon. Mr. Secretary Townshend, I must request the public indulgence till the pleasure of Government is known.

" Sir William Pepperell received his letter late on Saturday evening. It came in the Carleton armed ship, lately arrived at Cork. I am, Sir, your most obedient humble servant,

" ANDREW PEPPERELL."

*Extract of a Letter from a Gentleman at Quebec, to his Friend at Edinburgh, dated July 17, 1782.*

" The resolutions of Parliament to put an end to the American war, are, I am afraid, not transmitted to Canada, for the bloody work of butchery is still carrying on in the upper parts of this province. A Colonel Clark, commanding a large party of Americans in the Illinois country, has been for some years meditating an attempt upon Fort Detroit, but hitherto has always been defeated by the vigilance and activity of the Indians. This year Clark had assembled about 4000 men, and by late letters we have heard, that he was on his march to Detroit. He had ordered a Major Crawford to advance before his main body, with about 500 men, and they had actually reached San Doukie, in the neighbourhood of Detroit, when intelligence was brought to Major Depyster, the commanding officer at the fort: He instantly collected all the Indians he could, and sent a Mr. Caldwell, a young American, with them, and a party of regulars, to surprize Major Crawford, before he

he was joined by Clark; he did to effectually, for he completely routed the party, and took about two hundred prisoners.

"The Indians, who were the chief actors in this scene, gave over the prisoners to their women, who instantly tomahawked every man of them with the most horrid circumstances of barbarity.

"It is not unusual for the Indians to put their prisoners to death, but the Americans had this spring destroyed an Indian village, and put their women and children to the sword, for which inhuman act the Indian nations are resolved to take full revenge, as Crawford and his party woefully experienced."

*Hague, August 25.*

*Extract from the Resolutions of the States of Holland and Friesland, taken in the Assembly of their Noble and Great Mightinesses, on Saturday the 17th of August, 1782.*

Proposals from the deputies of the city of Amsterdam, for continuing the operations in concert with France against England, for the campaign of 1783, and for renewing the treaty of commerce of the year 1739.

Messrs. the deputies of the city of Amsterdam, propose in the name, and by the special order of the Lords their principals, to the Assembly of their Noble and Great Mightinesses, that the said Lords, having taken into serious consideration the present critical circumstances of the Republic, and convinced that their interest requires that its alliance with the court of France (an alliance which has produced a concert of operations with that court during the present campaign, and which gave birth to the resolution of the 18th of May, 1781) should be more firmly bound than ever; being also fully persuaded that it is the intention of his Most Christian Majesty, not to enter into a separate peace with England, which

is indeed fully confirmed by the declaration made by his said Majesty to maintain constantly the interests of the Republic: they have, therefore, charged their deputies to suggest, at the Assembly of their Noble and Great Mightinesses, an account of the instructions to be given to Mr. L'Espermaiman de Berkenrode, and to Mr. Brantzen, if the concert of operations, concluded and agreed upon for the present campaign, ought not to be continued, and whether it would not be prudent for the province to take the necessary steps on this subject to the generality. And finally, if in consideration of the good intentions of the court of France, it would not be proper to endeavour to strengthen the ties which unite the two nations, by renewing the treaty of commerce of 1739, by which the Dutch would be treated in France on the same footing as the subjects of his Most Christian Majesty.

Upon which, having deliberated, it was resolved, that the above proposals should be examined by the Lords of the body of Nobles, and the other deputies of their Noble and Great Mightinesses in weighty affairs, that the Assembly might receive the assistance of their consideration and opinion.

*DUBLIN, August 29.*

We can assure our readers from the very best authority, that the following is an exact copy of the plan and instructions delivered to each of the gentlemen who have undertaken to raise a regiment of fencibles:

Six regiments to be raised, each consisting of eight companies, and at the following numbers:

The numbers of serjeants, corporals, privates, drummers, and fliers, are . 550  
But allowing two contingent men to a company, deduct for eight companies

16  
The

The number to be levied will  
be — — — 534

To be raised thus :

1 Colonel	— — —	100
1 Lieutenant-Colonel	— — —	60
1 Major	— — —	45
5 Captains, each 30	— — —	150
1 Captain-Lieutenant	— — —	20
9 Lieutenants, each 13	— — —	117
6 Ensigns, each 7	— — —	42
		— — —

534

1 Chaplain
1 Adjutant
1 Surgeon
16 Serjeants
16 Corporals
16 Drummers
2 Fifers
500 Privates

577

No levy money to be allowed ; but if the regiment is completed, and reported as such by a general officer appointed to inspect them, within four months from the date of the beating order, they will then be put on the establishment from the date of the beating order, and paid as if complete from that day, from which day also the officers commissions may be dated, which will intitle them to pay.

From the day of their being reported complete, the regiment to be subsisted only according to their effective numbers. No recruiting fund to be allowed, and the officers always to keep their respective quotas complete, as the price of their commissions.

The Colonel to name the officers ; and in the event of an officer not being able to complete his quota, the Colonel to recommend another.

Officers who shall not be able to keep their respective quotas reasonably complete, to be superseded, and others appointed.

It is submitted whether these regiments should not be named from

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the provinces or counties where they are raised.

Government to provide accoutrements, and the respective Colonels to assign the off-reckonings for the cloathing, in the usual manner.

Arms to be delivered by the ordnance.

The Colonels of the Irish Fencibles, were yesterday announced in form at the Castle, and are as follow :

R. Talbot, Esq. county Dublin.  
M. Archdall, Esq. co. Fermanagh.  
T. Dawson, Esq. co. Armagh.  
W. K. Trench, Esq. co. Galway.  
A. Blennerhasser, Esq. co. Kerry.  
Lord Inchiquin, co. Kerry.

It was much the wish of administration, that so popular and uniformly respectable a character as Mr. Ogle should have accepted one of the corps of Fencibles. This gentleman was sounded more than once, but could not be prevailed upon to give the least countenance to this new mode of *national and constitutional* defence.

As not a tenth part of our representatives, who are *volunteers*, can or will accept commissions of any consequence in the Fencible regiments, it is not to be doubted but the subject of them will be most warmly taken up at the opening of next sessions, and a vote pass against making any provisions for their support.

The lure thrown out by some persons, who may be justly called *kidnappers* of volunteers, in order to seduce the privates of volunteer corps to enlist for the Fencible regiments, is an intimation that they will probably soon become Ensigns or Lieutenants. The trap hath already succeeded with a few unsuspecting and wavering young men ; but it is to be hoped so mean an artifice will speedily be seen through, and duly reprobated.

It is whispered, that a national  
L 1 volunteer

volunteer committee will be soon appointed, in order accurately to ascertain the names of such volunteers who shall quit the free and independent standard of their country for the hire of a slave. The conduct to be adopted in consequence of such information to the Committee, must be left to future determination.

*Copy of a Letter from Lord Viscount KEPPEL, First Lord of the Admiralty, to WILLIAM MIDDLETON, Esq.*

SIR,

At the time I received the favour of your letter, I was so particularly employed upon matters of great importance, that I was unable to answer it as fully as the business required. I hope, however, that the delay has not been considered as evading giving my warm approbation upon the spirited and honourable resolution of the meeting at Stow-market, to build a ship of the line for the public. I cannot enough praise the zeal and noble example the county of Suffolk has shewn to all England. I beg to offer my subscription to you of three-hundred pounds, towards carrying into execution the undertaking.

And am, Sir,

Very much your obedient,

And humble servant,

KEPPEL.

*Admiralty, August 29, 1782.*

*London, September 7.*

Yesterday Sir James Lowther, Bart. waited on Lord Keppel, and after having expressed his concern that the county subscriptions for building ships of war were not carried on with greater spirit, requested his Lordship to present his humble duty to the King, and at the same time to request his Majesty would accept of a man of war, mounting 74 guns, compleatly manned, rigged, victualled, and fitted for action; the whole

expence to be paid out of his own private fortune. Lord Keppel, astonished at such an unexampled instance of magnanimity, remained for a few moments silent; at length he assured Sir James that the matter should be instantly laid before the King. This was accordingly done, and the proposition acceded to in a most elegant manner by the Sovereign.

*London, September 10.*

The following letter was yesterday received by the Recorder of London, at the Sessions-House in the Old-Bailey, from the Right Hon. Thomas Townshend, one of his Majesty's Principal Secretaries of State.

"Sir, I have the King's commands to signify to you his pleasure, that, considering the great number of robberies that have been lately committed, and attended with acts of great cruelty, you should report to him in council, as soon as possible, upon such cases as shall appear to you to call for immediate punishment.

"I have it likewise in charge to acquaint you, that in order to deter persons from being guilty of such acts of cruelty, his Majesty has determined to grant no pardon or respite to any person convicted of such offences, on any solicitation whatever.

"I have the honour to be, with great regard, Sir, your most obedient humble servant,

T TOWNSHEND,"

"Mr. Recorder of London."

*Copy of a Letter from the Right Hon. THOMAS TOWNSHEND, Secretary at War, to his Grace the Duke of Rutland, Lord Lieutenant and Custos Rotulorum of the County of Leicester.*

*Whitehall, July 19, 1782.*

MY LORD.

A plan having been laid before the

the King for giving county names to the several regiments of infantry in his Majesty's service, and the Commanding Officer of the *Eighth* regiment having expressed his wish that his corps should be attached to the county of Leicester, and bear its name, I have his Majesty's command to signify the same to you, not doubting but that the zeal of your Grace and your friends for the public service will prompt you to give every assistance towards carrying the important object of the plan into execution. As no service can at this time be more essential to the country, than the completing the old corps of infantry, I trust that this plan of recruiting them will meet with your full approbation and encouragement.

I think it right to inform your Grace, that I have written a letter to this effect to the Sheriff of your county, to enable him to take the opportunity of laying it before the grand jury at the assizes, if it should reach him in time.

I have the honour to be,

My Lord,

Your Grace's most obedient

Humble servant,

T. TOWNSHEND.

*Boston, July 15.* Captain Babcock, of the Hero, Stoddard, of Scammell, Woodbury, of the Hope, and Tibbets, of the Swallow, having determined to surprise and possess themselves of Lunenburg, an elegantly situated town, ten leagues west of Halifax, landed ninety men two miles below it, under the command of Lieut. Barteman, on Monday the 1st day of July instant, at half after seven o'clock, A. M. This gallant corps, with amazing rapidity, reached the town, and, amidst many heavy discharges of musquetry from the enemy, burnt the commanding officer's house, a block-house in the north-west part of the town, spiked

up two twenty-four pounders, and forced the enemy into the south block-house, from whence they kept up a brisk animating fire, and declared their intention to hold out to the last extremity. But their animation subsided upon the receipt of a few four-pound shot from the Hero, and they reluctantly surrendered themselves prisoners of war. The victorious party, with a natural and pleasing vivacity, fell to plundering, and quickly emptied the stores of a variety and considerable quantity of dry goods, twenty puncheons of good West-India rum, and the King's beef, pork, and flour. Upon the near approach of the combined fleet, two eighteen pounders were spiked up and dismounted, and the royal magazine were safely deposited in the hold of the Scammell. The strictest decorum was observed towards the inhabitants, and their wearing apparel and household furniture inviolably preserved for their use. The town was ransomed for one thousand pounds sterling, and Col. Creighton, with some of the principal inhabitants, were shipped on board the Scammell. On the side of the Americans three were wounded slightly, one dangerously; on the enemy, the number of the slain and wounded unknown, only one of their slain being found.

*Boston, July 20.* The news of our independency having been acknowledged by the Dutch Republic, spread an universal joy all over our confederate States. Such an event happens very *a-propos* to encrease, if possible, the disdainful contempt with which all the members of our States have treated the deceitful officers of Great-Britain, and by which the latter wanted to divide us in interest from our great ally, and establish a phantom of restricted and equivocal independence. This our general disposition appears evidently, and beyond the shadow of doubt,

in the following resolution, came to by the States of Massachusetts, dated the 4th instant.

“Whereas the King of Great-Britain, despairing of ever being able to effect the reduction of the States General of North America, by threats and the violent means of a barbarous and vindictive war, seems to entertain some hopes of attaining his aim, by sowing the seeds of division amongst us, and endeavouring to entice some of the States, or other body of men, to relinquish the common cause, and throw up all connection with our illustrious ally.

“Resolved unanimously, That all thoughts in the least derogatory to the treaty now subsisting between his Most Christian Majesty and these States, or tending to hearken to the proposals of an accommodation with the British Court, in a private and separate manner, shall ever be rejected by us with the utmost abhorrence and detestation.

“And whereas we have entered upon the present war, with a solemn determination of procuring to ourselves, if possible, the sweets of liberty, and secure the same to our posterity: and in this we are fully persuaded, that we act up to the dignity of our nature, and the holy precepts of religion; and can of course reflect upon our conduct with conscious satisfaction; in consequence whereof, we are resolved to strain every nerve, in order to prosecute the just and necessary war in which we are engaged, and with the assistance of Almighty and Most Merciful God, whose Providence we have so conspicuously experienced in our distress, to carry on the said war with indefatigable ardour, nor ever desist till the independence of the United States is permanently fixed and universally acknowledged.

(Signed)

SAMUEL ADAMS, Chairman.

*Boston, July 22.* The campaign at the Antilles being concluded, they are renewing their operations in North America, and are very apprehensive of an attack at New-York. According to the last advices received from thence, Sir Guy Carleton is gone up the country with all the regular forces he could muster, and has formed a camp at Kingsbridge, and in the environs of Fort Washington. It is said, that this movement was occasioned by the information which Sir Guy had received, that General Washington, after a tour to Albany, and the northern part of New-York, was advancing with part of his army towards the White Plains. The city of New-York being thus entirely stripped of troops, the inhabitants have been appointed to guard it, and even the richest and most aged amongst them are not excused from the performance of military service. Nevertheless the majority of them executing this duty with repugnance, Governor Robertson has thought fit to issue the following proclamation:

“By his Excellency Lieutenant-General James Robertson, Governor of New-York, &c.

“The Commander in Chief having shewn the great confidence he reposes in the citizens of New-York, by trusting his Majesty’s interest there to their zeal, loyalty, and gallantry, I persuade myself, that every citizen will, with alacrity, claim his title to a share of the military duty; that none may be deprived of this, and that those whose zeal would lead them to appear whenever called for, may not be called for too often, I think proper to declare,

“That all persons are to perform the military duty, excepting: the Ministers of God’s Word, his Majesty’s Counsellors and principal servants, whose avocations to religious and civil, necessarily prevent their attendance on military duties.

“All

" All persons who from age or infirmity are unable to act, may do duty by substitutes, providing those they offer are judged sufficient by the Colonel of the regiment, or Commanding Officer of the corps to which they belong.

" If any of the gentlemen of the learned professions find themselves so usefully employed, as to be induced to avoid the honour of appearing in person, they are supposed to be judges of the importance of their own time, and may act by proper substitutes.

" As no person deserves protection in a place, of which he refuses to contribute to the defence; every person who refuses to appear when summoned to his military duty, is to be confined in the main-guard by the Colonel, or Commanding Officer of the corps to which he belongs, where he is to be kept till further orders.

" JAMES ROBERTSON."

The following address was sent by General WASHINGTON, on the 30th of May, to the Chevalier la LUZERNE, Minister of France.

*To his Excellency the Minister of France. The Address of the Commander in Chief, of the General and other Officers of the American army, on the Banks of Hudson's River.*

SIR,

Amidst the universal demonstrations of joy, on account of the happy birth of a Dauphin, suffer the officers of the American army to offer you more than a silent approbation of the sentiments and congratulations which have been presented to you by the Congress (the representative body, clothed with the sovereign power of the United States) that they may, by your means, reach our great and illustrious ally, on the subject of this fortunate event.—There are circumstances which render it, in a particular manner, agreeable to us. The harmony and friendship which have subsisted be-

tween the troops of your august Sovereign and us, during the last campaign (when the sole rivalry on either part was to surpass each other in emulation and fraternal kindness) gives us this pre-eminence. The blood, so freely shed on each side, fall into the same trench, and often mingle in a common stream for the preservation of those rights, which interest the sentiments of humanity, and the privileges of freemen, forms so solid a cement to the friendship of the two nations, that nothing but abandoning the principles of the union, which God forbid! can possibly dissolve it. To forbear, therefore, taking any part in the general satisfaction, caused by an event which adds to the felicity of a monarch, who may at once be considered as the father of his own people, and the protector of the liberties of other nations: an event which so essentially contributes to the welfare of a people to whom we are united both by the bonds of interest and of affection; not to take part in such an event, would be in us a proof of the greatest insensibility. May the Divine Providence pour its most precious blessings on the King of France and his august Consort, granting them a long and glorious reign. May the Dauphin live to inherit the virtues as well as the crown of his august parent. May he one day reign over the hearts of a happy and generous people, and may he be in the number of the most happy in his kingdom. These are our most ardent and sincere wishes.

In the name of the army,  
(Signed) GEORGE WASHINGTON.

To which address the Chevalier de la Luzerne sent the following answer:

*To his Excellency General WASHINGTON, Commander in Chief of the General and other Officers on the Banks of Hudson's River.*

GENTLEMEN,

I shall acquaint his Majesty of the address



address which you have been pleased to send to me on the birth of an heir to the crown of France. It will give him infinite satisfaction to perceive the joy which it has inspired in you; and he will perceive with pleasure, that the same army which gave so many proofs of patriotism and valour, and which, in the most perfect harmony, and in concert with his troops, have fought the common enemy, should be so eager to shew that nothing which affects the French nation can be indifferent to me.

The young Prince, whose birth is the subject of your congratulations, will in his infancy hear the glorious actions recited, by which you have effected your independence, and the welfare of a vast continent; and when he shall be told of various examples of disinterestedness, constancy, valour, and all the other military virtues, the names of your illustrious chiefs will be repeated to him. He is born at a time when the two nations are crowned with victory. This circumstance is a happy presage of his future glory, and promises that he shall one day prove the support of your independence, like that of the alliance which united France to the Thirteen United States.

The veneration which your actions, and your virtues, have inspired in me, Gentlemen, increases the pleasure with which I shall transmit your sentiments to the King, my master. I beg you will believe, that no one can be with more sincere respect than myself, Gentlemen, &c.

(Signed)

The Chevalier de la LUZERNE.

From the NEW-YORK GAZETTE.  
Copy of a Letter from General WASHINGTON to Admiral DIGBY.

Head-Quarters, June 5, 1782.

SIR,

"By a parole granted to two gentlemen, Mess. Aborn and Bowen,

I perceive that your Excellency has granted them permission to come to me with a representation of the sufferings of the American naval prisoners at New-York.

"As I have no agency on naval matters, this application to me is made on mistaken grounds; but curiosity leading me to enquire into the nature and cause of their sufferings, I am informed that the principal complaint is, that of their being crowded, especially at this season, in great numbers, on board of foul and infectious prison ships, where disease and death are almost inevitable. This circumstance I am persuaded needs only to be mentioned to your Excellency to obtain that redress which is in your power only to afford, and which humanity so strongly prompts.

"If the fortune of war, Sir, has thrown a number of these miserable people into your hands, I am certain your Excellency's feelings for fellow men must induce you to proportion the ships (if they must be confined on board ships) to their accommodation and comfort, and not by crowding them together in a few, bring on disorders which consign them by half dozens in a day to the grave.

"The soldiers of his Britannic Majesty, prisoners with us, were they (which might be the case) to be equally crowded together in close and confined prisons, at this season, would be exposed to equal loss and misery.

I have the honour to be, Sir,

Your Excellency's most obedient  
humble servant,

GEO. WASHINGTON."

His Excellency Rear-Admiral Digby.

Admiral Digby's Answer.

New-York, June 8, 1782.

SIR,

"My feelings prompted me to grant Mess. Aborn and Bowen permission to wait on your Excellency to represent their miserable situation.  
And

And if your Excellency's feelings on this occasion are like mine, you will not hesitate one moment in relieving both the British and Americans suffering under confinement.

"I have the honour to be your Excellency's very obedient servant,

R. DIGBY."

*His Excellency General Washington,*

*New-York, June 22.* It appears by a report and resolve published by Robert Harris, John Chace, Charles Collins, Philemon Haskell, Jonathan Carnes, and Christopher Smith, late masters of American vessels which have been captured by British cruizers and brought into this port, and whose parole has been enlarged by Admiral Digby, that they had been on board the prison and hospital ships to inspect the state of the naval American prisoners, and found them in as comfortable situation as it is possible for prisoners to be on board ships, and much better than they had an idea of.

*New-York, July 17.* The French troops under the command of the Count de Rochambeau, it is said, are on their march from Virginia to the Northward, halting at Georgetown, on Potowmack.

*New-York, July 20.* On Thursday arrived under convoy of the Jason frigate of 32, and the Vestal of 28 guns, a fleet of near 30 sail of vessels from Cork, which place they left very early in May; they brought in two prizes taken on the passage.

*New-York, July 27.* The following is a state of the navy prisoners who have within the last 12 days been exchanged, and brought to this city, viz. from Boston 102, Rhode-Island 40, New London 84, Baltimore (Maryland) 23, British seamen. Total 249.

*NEW-YORK, August 7.*

It is earnestly recommended to the Loyalists, every where, to suspend

their opinion on the present important occasion, and, each in his place, to continue firm to the professions he has made of loyalty and zeal for the re-union of the empire. The independency of the Thirteen Provinces has indeed been *proposed* at a conference in Paris, held for the purpose of a general peace; but, until a general peace shall be ratified, we cannot know what is to be the eventual condition of this country. In the mean time, therefore, we are bound by every consideration of prudence and duty, to wait the issue, with that manly steadiness, and cheerful reliance on the abilities and attention of our Commanders in Chief, which are at present our surest pledges of safety. By such a conduct we shall *preserve* a claim to national regard and protection, which it would be madness to forfeit; since, by giving way to suggestions of impatience, we can only disgrace ourselves in the eyes of our enemies, without a shadow of advantage.

*Copy of a Letter from Sir GUY CARLETON, and Rear Admiral DIGBY, to General WASHINGTON, dated New-York, Aug. 2, 1782. Written in consequence of Directions from England, and published at the request of the Inhabitants of New-York.*

*New-York, August 2, 1782.*

SIR,

The pacific disposition of the parliament and people of England towards the Thirteen Provinces, has already been communicated to you, and the resolutions of the House of Commons of the 27th of February last, have been placed in your Excellency's hands, and intimations given at the same time, that further pacific measures were likely to follow. Since which, until the present time, we have had no direct communications

munications from England: But a mail is now arrived, which brings us very important information.

We are acquainted, Sir, by authority, that negociations for a general peace have already commenced at Paris; and that Mr. Grenville is invested with full powers to treat with all the parties at war; and is now at Paris in the execution of his commission.

And we are further, Sir, made acquainted, that his Majesty, in order to remove all obstacles to that peace which he so ardently wishes to restore, has commanded his Ministers to direct Mr. Grenville, that the Independency of the Thirteen Provinces should be proposed by him, in the first instance, instead of making it a condition of a general treaty; however, not without the highest confidence, that the Loyalists shall be restored to their possessions, or a full compensation made them for whatever confiscations may have taken place.

With respect to Mr. Laurens, we are to acquaint you, that he has been enlarged, and discharged from all engagements without any condition whatever; after which, he declared of his own accord, that he considered Lord Cornwallis as freed from his parole. Upon this point we are to desire your Excellency's sentiments, or those of Congress.

We are further acquainted that transports have been prepared in England for conveying all the American prisoners to this country, to be exchanged here; and we are directed to urge, by every consideration of humanity, the most speedy exchange; a measure in which, not only the comforts, but the rights of individuals are concerned. A proposition has already been made, that (all exchanges of men of the same description being exhausted) sailor and soldier, shall be immediately exchanged, man for man, against

each other, with this condition annexed, that your sailors shall be at liberty to serve the moment they are exchanged, and the soldiers so received by us shall not serve, in or against the Thirteen Provinces for one year, and from this proposition we do not now wish to recede.

We have the honour to be,

Your Excellency's

Most obedient, and

Most humble servants,

(Signed) GUY CARLETON,  
R. DIGBY.

*His Excellency General Washington.*

PHILADELPHIA, July 31.

On Wednesday last his Excellency General Washington left this city, in order to join the main army on the bank of the Hudson.

On Friday last about five o'clock in the afternoon, two waggons from this city, were robbed on Valley-Hill, on the Lancaster road, about 45 miles from hence, by a number of armed people in disguise. The continental stores therein, consisting of clothing, &c. were burnt, the private property belonging to certain persons in York-Town was carried off. The waggoners and horses were then suffered to proceed. From hence it appears that there are a number of villains amongst us, who act as spies and transmit intelligence of whatever is going forward here to their confederates in different parts of the country. *Quere*, Is it not time to establish something like the police of Paris in this city, in order to know who is who?—

By a gentleman from Wilmington, North-Carolina, which he left about four weeks ago, we are informed, that two vessels had arrived in Cape Fear River, from Holland, with valuable cargoes. A brig of 14 guns, with 130 hogheads of Jamaica rum, was lately carried into George-town by five of her people; and another vessel from the same place,

place, with a like cargo, was arrived at a safe port in that quarter; having been captured by a privateer belonging to North Carolina.

*Philadelphia, Aug. 3.* Left from the monthly return of taxes, collected for the use of the federal army, it should be conjectured, that North Carolina has been criminally deficient, we are able to assure the public from good authority, that the General Assembly of that State during their meeting in May last, and they have had no other meeting for near twelve months, have given the most clear, unequivocal proofs of their resolution to comply with the requisitions of Congress in their utmost extent, as far as the present scarcity of coin in that country will permit.

*Copy of a Letter from a Deputation of American Refugees now with the British Army in Savannah, addressed to General WAYNE.*

SIR,

As there is reason to believe it is the intention of the British troops to evacuate the town and garrison of Savannah, we are deputed, by different classes of the inhabitants, to wait upon you as the commander of the army, and also Governor Martin, to know whether such of them as are inclined to remain will be protected in their persons and properties; and for more fully discussing this business, we are entrusted with the honour of requesting a conference.

We have the honour, &c.

JOHN IRVINE,

A. M'CLEAN,

JOHN WALLACE,

H. KEALL,

L. CECILL.

*General Wayne.*

GENERAL WAYNE'S ANSWER.

Should the garrison eventually effect an evacuation, the persons and properties of such inhabitants, or others, who chuse to remain in Savannah, will be protected by the military, and resigned inviolate into the hands of the civil authority of this State, which must ultimately decide.

Given at Head Quarters, June 17, 1782.

*Hartford, July 30.*

An act in addition to a law, entitled, "An act for the direction of listers in their office and duty."

[*Passed at the last sessions of Assembly.*]

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That the listers in each town, having received from the inhabitants or individuals, the several specific lists of rateable articles ascertained and required by law to be particularly enumerated, and returned in the order, arrangement, and form herein provided; and the same being by them reduced to one general list of such town; and having carefully adjusted and computed the total amount thereof, shall assess each Attorney (the least practitioner) at fifty pounds, larger practitioners higher in proportion; each physician or surgeon (the least practitioner) ten pounds, and others in proportion; each shopkeeper or trader whatsoever (the lowest class) at 25 pounds, and all others in due proportion; that each allowed and licensed tavern-keeper be set at fifteen pounds, and to be added to, in proportion to their situation and profits, according to the best judgment of the listers; that each and every person that followeth any mechanical art or mystery, such as blacksmiths, shoe-makers, tanners, goldsmiths or silversmiths, and every other handicraft, shall be set in the list, at least five pounds, and to be added to at the best discretion of the listers; each corn-mill standing on a stream sufficient to carry the same through the various seasons of the year, and so situated that they are constantly supplied

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supplied with custom, shall be set in the list annually, at eight pounds, and others of lesser advantages, whether wind-mills or others, at a less sum in proportion, according to the best judgment of the listers. And that they shall assess owners of iron-works, oil-mills, saw-mills, and all other water-works, by which profits arise; and that all other works and occupations followed or pursued by any persons, by which profits arise, and which have not been enumerated in this act, shall be assessed by the best judgment of the listers, in due proportion to the rules given, in particular instances in this act. And all bulls more than one, owned by one person, shall be set in the list at the rate of other neat cattle of similar age; and that the assessments made by the listers, by virtue of this act, shall be returned to the Assembly in October annually, that the Assembly may judge whether, on the whole, justice has been done by the listers; and the listers shall carefully return the names of all those of all denominations, who shall be assessed, and the farms annexed at which they are respectively assessed, to said Assembly.

And be it further enacted by the authority aforesaid, That real estate in any town in this state, belonging to non-resident proprietors, shall be liable to be taken and sold at public auctions, sufficient for payment of any lawful taxes charged, or that may hereafter be legally charged to the owner thereof, and to satisfy the legal costs and fees thereon. And

no sale, transfer, or conveyance whatsoever, of any real estate hereafter to be made by the owner thereof, shall be deemed good and valid in the law, or invest the title in any purchaser or grantee whatsoever, until all the public taxes due from such grantor shall be paid and discharged.

Provided nevertheless, That the time and place of sale for payment of such taxes, shall be advertised by the Collector three weeks, in some public news-papers in this State, at least six weeks before such sale. And whenever any lands of any non-resident proprietor, or proprietors, shall be thus sold by virtue of this act, the collector of such tax or taxes shall make and give to the purchaser a deed of warrant thereof: and if the said proprietor or proprietors shall not, within twelve months next, after such deed is lodged in the town clerk's office, pay and satisfy, or tender to such purchaser, the purchase money, together with all costs and charges, and double interest thereon arising, the same shall be recorded, and thereupon the title become confirmed to and in such purchaser, his heirs and assigns, to all intents and purposes for ever.

Be it further enacted by the authority aforesaid, That the listers in the several towns in this State, shall receive, make up, and transmit to the General Assembly, and lodge with the town clerk the list of such towns respectively, in the following form and order of arrangement, viz.

A true LIST of the polls and estate of the town of ———, rateable by law, on the 20th day of August, 17

No.		£.	s.	d.
	Polls from 21 to 70 years of age, at — —	18	0	0
	Polls from 16 to 21 years of age, — —	9	0	0
	Oxen and bulls four years old — —	4	0	0
	Cows, steers, heifers and bulls, three years old — —	3	0	0
	Steers, heifers, and bulls, of two-years old — —	2	0	0
	Steers, heifers, and bulls, of one year old, — —	1	0	0

Horse

Horse kind of three years old	—	—	3	0	0
Horse kind of two years old	—	—	2	0	0
Horse kind of one year old	—	—	1	0	0
Swine of one year old	—	—	1	0	0
Acres of plough land	—	—	0	10	0
Acres of upland, mowing and pleasure pasture	—	—	0	8	0
Acres of boggy meadow mowed	—	—	0	5	0
Acres of boggy meadow not mowed	—	—	0	2	0
Acres of meadow land, in Hartford county	—	—	0	15	0
Acres of other meadow land	—	—	0	7	0
Acres of brush pasture	—	—	0	2	0
Acres of uninclosed land, first rate	—	—	0	2	0
Acres of uninclosed land, second rate	—	—	0	1	0
Acres of uninclosed land, third rate	—	—	0	0	6
Tons of vessels	—	—	0	15	0
Coaches	—	—	25	0	0
Chariots	—	—	20	0	0
Phaetons	—	—	15	0	0
Curricles	—	—	10	0	0
Chaises	—	—	5	0	0
Riding chairs with open tops and fulkies	—	—	3	0	0
Gold watches	—	—	5	0	0
Silver and other watches	—	—	1	10	0
Steel and brass wheel clocks	—	—	3	0	0
Wooden wheel clocks	—	—	1	0	0
Ounces of silver plate, at 6s. 8d. at six per cent.					
Money on interest, at six per cent.					

New-York, August 10.

To the Hon. Baron DE WOLZWGEN,  
Commandant of the combined De-  
tachment of Brunswick and Hes-  
sian Haux-troops at the Narrows,  
&c.

SIR,

The inhabitants of New Utrecht, in King's county, on Long-Island, fully sensible of the vigilant and attentive care, as well as the good order and discipline, which prevailed among the officers and soldiers during your command at the Narrows, beg your acceptance of their warmest thanks, that you will receive this as a testimony of their approbation, and communicate to the officers and soldiers the highest sense they entertain of their decorum and good order, as well as ready attention to the security of their persons and properties, during their continuance amongst us, from the 7th

of October, 1781, to the 30th of July, 1782.

ADRIAN VAN BRUNT,  
JOHN COUNHOVER,  
HERMANUS BORKELow,  
DENYSS DENYS,  
NICHOLAS COUNHOVER, &c.

August 6, 1782.

A N S W E R.

To the Inhabitants of New Utrecht,  
in the King's County, on Long-  
Island.

GENTLEMEN,

All the officers and soldiers, who were with me on the post at the Narrows, are very sensible with me of your thanks, and the esteem you shewed to us in your favour of the 6th instant.

If our continuance amongst you hath done any service to the public security and good order, and given you satisfaction, we are fully persuaded, we did no more than our duty required.

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May

May Heaven grant you the entire relief of all the burthens of the present too grievous war, and bless you and your families with the happy enjoyment of public tranquillity. Of these our most sincere wishes assure you;

Gentlemen,

Your most obedient servant,

BAR. DE WOLZWOGEN,

CAPT. C ———.

*Brooklyn Camp, Aug. 7, 1782.*

*London, Sept. 24.*

The following intelligence, by the New-York packet, is authentic: We are favoured with it by a gentleman to whom we have been often obliged; and it is a full refutation of that very important information with which Mr. Pepperell lately astonished the public:

Sir Guy Carleton has been indefatigable, since his arrival at New-York, in works of public reformation, and in erecting batteries almost all over the island; also on Long Island, and at the entrance of the harbour, particularly at the latter place, where the fortifications are entirely new modelled.

The inhabitants have been generally called to public duty in various parts of the city, without either pay or rations, whilst the troops lay encamped in the neighbourhood, in a sickly state.

On the the 2d of August, it was declared at New-York, that the French fleet was arrived in the Chesapeake, consisting of 13 sail of the line and four frigates. The French troops had left Virginia, and were expected to be cantoned in Elizabeth Town, in the Jerseys, and near Sandy Hook. The British naval force at New-York was only one 60 gun ship, two of 50, and a few frigates. Several transports and small vessels, filled with stores, were moored on the bar ready to be sunk. The Long Island shore facing the Hook and Bay, up to the Narrows,

was covered with the Hessian troops.

On the 3d of August, all the American and French officers on parole, on Long Island, were ordered to New-York, to be sent to Dobb's Ferry, up the North River, in flags, for exchange or release. On the 7th of August, advice was also brought to New-York, that General Washington had crossed the North River with his army and heavy cannon, to the White Plains; to co-operate with the French fleet, which was arrived at Rhode Island. This occasioned much alarm. The troops were called from their encampments. The 42d regiment had entered the city, and others were in motion. All the vessels had left the Sound.

The letters from Sir Guy Carleton and Admiral Digby to General Washington, in which they declare that, "Mr. Grenville had been authorised to propose the *Independency of the Thirteen Provinces*, to expedite a general peace," had literally thrown the Refugees into the horrors. They immediately advertised for a meeting of two or three deputies from every township within the lines, to be held in New-York the 13th of August, to take their wretched case into consideration.

In the New States harmony prevailed, and a determination was universally avowed, not to enter into any treaty separate from their allies; and as a preliminary, the avowal of independence was still insisted on.

The reports of coolness betwixt the French and the Americans, are totally groundless, as greater civility and cordiality cannot possibly exist.

Yesterday the letters, brought from New-York in the Roebuck packet, were delivered at the post-office. By these letters we learn, that the major part of the troops from Savannah, were arrived there. When the Roebuck sailed, they had not heard of the arrival of Admiral Pigot

Pigot on that coast from Jamaica, but expected him daily. By these letters we likewise learn, that Vaudreuil, with 13 sail, was arrived in the Chesapeake. In this packet came Governor Franklin, and several other gentlemen passengers; but it appears that the intelligence published in a certain paper of dissensions having happened among the Americans, is entirely false, and void of foundation.

We are assured, that a commission, empowering Sir Guy Carleton to treat separately with the respective colonies, went yesterday morning to the Chancellor to have the Great Seal affixed to it. Though this circumstance does not portend an accommodation with France, yet it must, if success attends it, ultimately tend to the benefit of this country.

The following are the French ships of the line now in the American seas:

	Guns.
Le Triomphant	80
La Couronne	80
Le Neptune	80
L'Auguste	80
Le Duc de Bourgogne	80
Le Magnifique	80
Le Brave	74
La Bourgogne	74
Le Citoyen	74
Le Dauphin Royal	74
L'Hercule	74
Le Souverain	74
Le Northumberland	74
Le Pluton	74

*Extract of a letter, dated Bloomingdale camp, New-York Island, August 4, 1782, to a Gentleman in the City of London.*

"We were in high spirits about our great victories. We are all low since the packet arrived which brought out a person sent by the Ministers with independency to America. He went out the same night to the Americans.

The Loyalists, &c. are distracted; most of them have the greatest estates in the country.

"Since Sir Guy's arrival, he has fixed a Board to examine into public accounts, and has poisoned all those caterpillars in public departments, who have been preying so long on the vitals of poor England. He has sold all the Quarter-Master General's horses and waggons. No small number had Government to pay for in that department, only between fifteen hundred and two thousand horses.

Mr. Franklin, who is just arrived from New-York, has been proscribed by Congress, and a considerable reward offered for apprehending him. His coming here at this juncture shews, that Sir Guy Carleton's proposals, respecting the Loyalists, were not much relished by Congress, and that this gentleman did not think New-York longer a place of safety. It is said he is come with proposals from the Loyalists to the Minister.

"It is said, I believe too true, that five thousand pounds a-year have been made in mixing water with the rum; and it has been a custom to buy the Yankey-brewed spirits, and issue it to the soldier as good rum, though the smell of it was enough to poison the Devil. This spirit was made here in time of peace, for no other purpose than to be sent to the coast of Guinea.

"An order came out against these men in public employ, not one of them to sit at the Board of Public Accounts; nor are they to charge more than they gave for any article they buy for the Crown, nor use any of the stores, nor take any thing under the name of perquisite of office, or any fraud whatever. Any one found guilty will be prosecuted for a breach of public trust.

"These men in public employ will now be obliged to live on the income



income of office allowed by government.

"I am this moment informed that our flag, that went up the North River with the terms England sent out, is returned; and brings word, that nothing will be settled till our armies are withdrawn from this country.

"P. S. I have this instant got into New-York. Thousands are distracted. They have waited on Sir Guy to know if independence is granted to this country. He could hardly speak, when he told them it was too true! He has printed the letter he has wrote to Washington on the occasion. The militia, who have done the duty of the city this Summer, give it up, and say there is no occasion to do more, as they are to be delivered up to Congress."

*London, Sept. 25.* The Dutch mails, which were received yesterday, contain the following memorial, presented on the 19th instant, by Monsieur D'Asp, the Charge des Affaires from Sweden :

"The King, my master, has for some time past received, from different quarters, the heaviest complaints against one Nicolas Kullberg, commander of the privateer cutter, the *Vereenaer*, of 20 guns. It appears that the said Captain, taking advantage of the knowledge he has of the coasts and roads of Sweden, of which he is a native, was strongly suspected of having established his cruize along the coast of Bohus and Hollande, for the purpose of intercepting the English trading vessels that chanced to come that way, and after having sent the captured ships to Holland, would himself take shelter in the nearest Swedish port. Notwithstanding the repeated intimations conveyed to him by the Governor of Gottenburgh, to desist from a conduct so repugnant to the King's orders, founded on his Majesty's

perfect neutrality, in regard to the belligerent powers, he has continued to corroborate the appearances which already strongly deposed against him, by his frequent egress and regress to and from the said ports. To these suspicious measures the said Kullberg has added a conduct still more reprehensible, by committing and encouraging his crew to be guilty of violences practised against his Majesty's loyal subjects, sometimes by refusing to pay the coasting pilots whenever he employed any, till compelled to do them justice : sometimes by forcibly taking the fishing-smacks, and tackles during the temporary absence of the owners, as was proved by several of such stolen goods being found on board his ship. His Majesty, however, would not insist with the States General upon the Captain's being suitably punished, till his bad conduct stood proved beyond even the shadow of doubt. The King expected by no means, with a full confirmation of the above fact, to receive intelligence of a fresh violence ; one of a far more heinous nature, has however been attempted by the said Kullberg, in the very dominions of his Majesty, and in committing of which, said Kullberg was countenanced and assisted by a ship of war, which, upon the unanimous deposition of witnesses, appears to be a frigate belonging to the Dutch navy.

"On the 4th inst. several English merchantmen observing, in their way from the Sound, two Dutch men of war in chase after them, crowded sail, in order to seek for shelter in some of his Majesty's ports ; some of them succeeded, and all might have been equally fortunate, had not their enemies been unmindful of the laws of nations, and the rights of the Sovereign, off whose coasts they were at the time. Two of the English ships, the *Peggy*, Capt. Canon, and *Mary*, Capt. Peutefs,

Peutels, having reached his Majesty's territories, had a right to think themselves in perfect safety. One of them had even cleared the rocks and the little isles called after the light-house of Viaga; nor was the other at a much greater distance, when to their utter astonishment, they saw the Dutch ships still in chase after them. The former, seeing that they were going to lose their prey, stretched out all their canvas, and poured incessant broadsides upon the two English vessels, whose officers fearing lest their ships should be sunk, and not being then three miles within his Majesty's dominions, and about a quarter of a mile from shore, came to an anchor, in full persuasion that the enemy would give up the chase; yet perceiving the contrary to be the case, and that they kept up their firing, the English took to their boats, and landed just in time to see their ships captured and carried away.

"These are stubborn, and fully authenticated facts: Above 20 of the inhabitants bore witness, and on their oaths before the Magistrate of Gottenburgh, have in the same manner as the English crews, declared the whole of this transaction to be true. It is from their depositions that it appears the other ship must have been a Dutch frigate. Were the latter assertion a mere surmise, it so materially disgraces the Dutch colours, which have hitherto inspired the greatest confidence, that your H. M. are from this very circumstance more deeply interested in finding out and punishing the guilty. Besides that, the *Verenaer* was easily known, its commander having so long paraded off the Swedish coast; Kullberg betrayed himself, having carried his impudence so far as to take the *Peggy*, without loss of time, into *Mårstrand*. As soon however as it was known by what

illegal means that ship had been captured, the prize was sequestered, and shall be restored to its owners. Mean while, the King has given strict orders to the officers commanding his Majesty's ships, now cruising in the North sea, for the safer guarding of the coast, to apprehend the said Kullberg, and bring his ship into one of his Majesty's ports, in case he should dare to appear again off the Swedish coast. These, his Majesty's commands, are founded on the necessity there is to prevent the said Kullberg from continuing the outrages of which he has been hitherto guilty; and by no means from any doubt his Majesty entertains of your H. M. not inflicting on him a condign punishment. Such a doubt would strongly militate against the entire confidence with which his Majesty relies on the well known equity of your H. M. as also the regard and friendship that you have ever shewn towards the King, which he has at all times returned by the truest tokens of esteem and attachment. His Majesty on the contrary is fully persuaded, that you will no sooner be informed of so vile a proceeding, than your H. M. will exert yourselves in detecting and severely punishing the guilty, and shew your just displeasure at a conduct so highly censurable in every respect, as well as your readiness in giving to the King that satisfaction which his Majesty has so great a right to insist upon.

(Signed)

D'ASP."

*From the LONDON GAZETTE, of  
Saturday, September 14, 1782.  
Whitehall, Sept. 14.*

The King has been pleased to grant to the Rev. Frederick Bodsworth, master of arts, the place and dignity of a Prebendary of his Majesty's Free Chapel of Windsor, void by the translation of the Right Reverend

Reverend Father in God Shute Bishop of Llandaff to the See of Salisbury.

The King has been pleased to present the Reverend Mr. Andrew Williamfon, to the church and parish of Archtergarven in the presbytery of Dunkeld, and county of Perth, vacant by the presentation of the Reverend Mr. James Hunter to another church.

*From the LONDON GAZETTE.*

*Admiralty-Office, Sept. 14.*

*Extract of a letter from Lieutenant ARTHUR HAYNES, commanding his Majesty's cutter Cruiser, to Mr. STEPHENS, dated Weymouth-road, Sept. 11, 1782.*

"SIR,

"You will be pleased to acquaint their Lordships, that on the 10th instant, at one P. M. the Island of Alderney bearing S. 8. W. distance six leagues, we discovered a sail to the North-west; and after a chase of seven hours, came up with, and took her.

"She proved to be Le Petit Commandant, of eight four and three pounders, and thirty-two men; and commanded by William Ripner: this cutter belonged to Dunkirk."

*Admiralty-office, Sept. 16, 1782.*

*Extract of a Letter from Captain COURTNEY, Commander of his Majesty's ship Eurydice, to Mr. STEPHENS, dated off Cape La Hague, Sept. 11, 1782.*

"SIR,

"I am to inform you, that at nine A. M. I fell in with a small French cutter privateer, off Cherburgh, and another sloop, her prize, which she had taken the preceding evening, off the Isle of Wight, both of which I captured after a short chase, and sent the privateer to Guernsey, and the English sloop to Weymouth. This privateer had only eight men on board; the Master, whose name is Moor, has been lately

a strolling player in the West of England.

"I am further to inform you, that on the 1st of this month, A. M. I gave chase to a French galley, a cutter, and a sloop, and drove them on shore under the forts of Carteret.

*Whitehall, Sept. 17, 1782.*

The King has been pleased to grant to Thomas Calvert, of Warlaby, in the county of York, Esq. and his issue (pursuant to the will of John Booth, late of Killerby, in the county of York, Esq. deceased) his royal licence and authority to take and use the surname of Booth, and also to bear the arms of Booth.

The King has been pleased to appoint Robert Stewart, and James Cusse, Esquires, to be of His Majesty's Most Honourable Privy Council in the kingdom of Ireland.

*Dublin Castle, Sept. 5.* His Grace the Lord Lieutenant has been pleased to appoint Sir William Parsons, Bart. to be Governor of the King's County.

*Dublin Castle, Sept. 9.* Yesterday his Grace the Lord Lieutenant was pleased to confer the honour of knighthood on John Morella Oldmixon, Esq. Lieutenant of Dragoons, and one of the Gentlemen in waiting in his Grace's family.

*Stockholm, August 27.* On Sunday morning, the 25th instant, the Queen of Sweden was safely delivered of a Prince; which important event was announced here by the discharge of 216 pieces of cannon. Her Majesty and the new-born Prince continue as well as can be expected.

*Berlin, Sept. 7.* His Prussian Majesty arrived at Potsdam the 2d inst. in good health, after finishing the usual reviews in Silesia.

*From the same.*

*St. James's, Sept. 21.* The King has been pleased to appoint Sir John Stepney, Bart. to be his Majesty's

jefty's Envoy Extraordinary at the Court of Berlin.

*Dublin Castle, Sept. 15.* The Earl of Temple, who embarked yesterday evening at Holyhead on board his Majesty's yacht the Dorset, arrived early this morning in this harbour. His Lordship was received at landing by the Lord Mayor and Sheriffs of the City of Dublin; the regiments of foot in garrison lined the streets through which his Lordship passed to the Castle, attended by a squadron of horse. His Lordship was received at the Castle by two Privy Councillors, who acquainted his Lordship, that as his Grace the Lord Lieutenant was unable to come to the Castle, in consequence of the accident his Grace had met with lately, his Lordship would be received by his Grace at his Majesty's Lodge in the Phoenix-Park. About one o'clock Lord Temple proceeded to the Phoenix-Park, escorted by the squadron of horse, the streets from the Castle towards the Park being lined by the infantry. Upon his Lordship's arrival at the Lodge in the Park, he was introduced in form to the Duke of Portland, who received him sitting in a chair of state. After a short conference, a procession was made to the Chamber in which the Council were assembled, where his Lordship's Commission was read, and the oaths administered to him; after which, Lord Temple having received the sword from his Grace the Duke of Portland, the great guns in the park were fired, and answered by the regiments on duty. His Excellency then returned to the Castle, where he received the compliments of the Nobility and other persons of distinction upon his safe arrival to take upon him the Government of this kingdom.

*From the Same.*

*Admiralty-Office, Sept. 24, 1782.*

Rear-admiral Digby, Commander  
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in Chief of his Majesty's ships in North America, has, in his dispatches to Mr. Stephens of the 11th of August, transmitted a list of captures made by the Squadron under his command, from the 1st of May to the above date, amounting in the whole to twenty-four; and also a letter from Capt. Salter, of the Santa Margarita, giving an account of his engagement with a French frigate of thirty-six guns, and three hundred and one men; of which the following are copies:

*List of Captures.*

May 2. By the Amphion, Amphitrite, Hornet and Digby privateer,—brig Fair American, Adriana, laden with rum and dry goods; and the sloop Alphin.

May 3. By the Huffer,—brig Boston packet, laden with flour and rum.  
— By the Savage,—schooner Otter, laden with flour.

May 5.—By the Chatham,—sloop Sally, laden with fish and lumber.

May 7. By the Centurion,—ship St. John, laden with tobacco.

May 12. By ditto,—cutter Two Friends, laden with rum.

— By the Warwick and Bonetta,—ship Three Friends, laden with sugar.

— By the Bellisarius,—sloop Chace, privateer.

May 15. By ditto,—schooner Swordfish, laden with flour and lumber.

May 16. By the Centurion,—schooner Tabitha, laden with tobacco.

— By the Chatham,—brig, a privateer.

May 18. By the Bellisarius,—brig Sampson, privateer.

May 27. By the schooner Gros Islet,—sloop Sally, laden with flour and fish.

June 2. By the Chatham,—sloops Maria, Lilly and Friendship, all laden with lumber.

June 3. By the Bellisarius and N n Quebec,

Quebec,—brig Pilgrim, a privateer.

June 10. By the Chatham,—sloop Success, laden with lumber, and schooner Greedyworn, with cyder, onions, &c.

June 25. By the Thyrtle and Tyger privateer,—schooner Temperance, laden with bacon and flour.

— By the Amphion, Centurion, and Garland,—Jenny, sold at Bermuda.

July 2. By the Jason and Vestal,—brig Favourite, laden with flour.

July 13. By the Bellifarius, Bonetta, and Tyger privateer,—galley Comte de Grasse, in ballast.

July 16. By the Argo and Hussar, galley,—whale boat Victory, in ballast.

August 4. By the Chatham,—brig Reventlow, laden with rum and sugar.

August 5. By Ditto,—brig Maria, in ballast.

August 11. By Ditto,—brig Delight, laden with molasses and sugar.

*Copy of a letter from Capt. SALTER, to Rear-admiral DIGBY.*

*Sania Margarita, Aug. 1, 1782.*

I have the honour to acquaint you, that at the dawn of day, on the morning of the 29th ult. I gave chase to a sail in the S. E. quarter, the wind being at N. E. by N. Cape Henry then bearing West, distant about five leagues. Having approached within a mile and a half of the chase, I discovered her to be a French frigate from the signals and manœuvres she made, and of equal force to ourselves; but perceiving eight sail of large ships bearing down for us under a troupe of sail, two of which at no great distance, (after consulting my officers) I wore ship and stood from her to the Northward, having not only an enemy but a lee-shore to encounter. The frigate gave us chase till three P. M. she tacked and stood to the

Westward. As we then had lost sight of the large ships from our mast-head, and the weather being very clear, my officers and ships company expressing an eager desire to bring the frigate to action, it was judged proper to tack and stand after her for that purpose. In a quarter of an hour she tacked also, and stood towards us. At five o'clock, being within a cable's length of each other, she with her starboard, and we with our larboard tacks on board, she opened her fire and gave us her broadside, and immediately wore: we reserved our fire till an opportunity offered to rake her while wearing, which was effected with a well-directed fire from our starboard guns; then gradually closed each other within pistol-shot, keeping her on our starboard-beam; and the action was continued in this manner warmly, on both sides, for an hour and a quarter, when she struck her colours, and proved to be L' Amazone, mounting thirty-six guns (long twelve and six pounders) and carrying three hundred and one men, commanded by the Viscomte de Montguicé, who was killed in the early part of the action.

I sent a Lieutenant and one-third of my ship's company to take possession of her. Every effort was made to repair our damages, and to have the prisoners shifted, in order to make the best of our way here, and avoid the other ships, which the French officers informed me were part of thirteen sail of their line, besides frigates; but unavoidable delays happening, in having only one boat fit for hoisting out (which transported on board sixty-eight prisoners, including officers) together with the wrecked and shattered condition of the Amazone, she having lost her main and mizen masts soon after she struck, and from the wounds received in action, we kept her in tow during the night, with all the

the fail we could set, and stood to the N. E. in hopes of encreasing our distance from the other ships; but, by break of day, we plainly discerned the whole fleet following us under a crowd of fail. I immediately recalled my officers and men on board, cut the hawser, and set adrift my boat, not being able to hoist her in, and abandoned the prize, after having ordered the small remains of her fore rigging to be cut away.—Had the time and circumstances permitted me to have shifted all the prisoners, I should have ordered her to have been burnt, to prevent her being retaken by the enemy.

I cannot sufficiently extol the conduct of my officers and ship's company, for their gallantry and spirited conduct during the action, and for their vigorous exertions afterwards in repairing, in the best manner possible, the damages sustained, so as to enable us to escape the enemy. At the same time I cannot pass unnoticed the gallant and officer-like conduct of the Viscomte de Montguioté, in leading his ship to action. After he was killed, the Chevalier de Lepine, second Captain (on whom the command devolved) did every thing that an experienced officer, in his situation, could possibly do; for being himself, and all his officers excepting one, and about one half of his men, either killed or wounded, and the masts so crippled as to expect them to go over the side every moment, several guns dismounted, and four feet water in the hold, will, I dare say, justify to his King and country the necessity of their surrender.

The damages sustained by his Majesty's ship, and the number of the men killed and wounded in the action, are but trivial, comparatively to those sustained by the enemy. Our mainmast was shot through in several places; the foremast, fore main and mizen topmasts, and seve-

ral of the yards, wounded; many grape-shot lodged in our copper, between wind and water; our sails, standing and running rigging (except mizen shrouds) were entirely cut to pieces. Five were killed, and seventeen wounded on board his Majesty's ship during the action: among the former Mr. Dalrymple, midshipman, a worthy, deserving youth, who, had he lived, would have been an ornament to his profession; and amongst the latter Mr. Otto, the boatswain, who is shot through the arm.—Killed on board the Amazone, according to the French officers account; about seventy men, including officers, and wounded between seventy and eighty.

I have the honour to be, &c.

ELLIOT SALTER.

*List of the killed and wounded on board the Santa Margarita.*

Mr. Will. Dalrymple, midshipman; Thomas Archer, William Winkle, James Burley, Thomas Rees, seamen, killed.

Mr. Otto, boatswain; and sixteen seamen wounded.

*French officers killed and wounded on board the Amazone.*

Viscomte Montguioté, commander, Monsieur Gazan, lieutenant; Monsieur Oltie, ditto, killed.

Chevalier de Lepine, second Captain; M. La Ville Berno, lieutenant (lost an arm) Monsieur Deguiten, lieutenant of a detachment of Cape troops, dangerously wounded.

Prisoners brought into New-York, four officers, and sixty-four men.

N. B. The Santa Margarita had thirty-six guns, and two hundred and fifty-five men.

*Stockholm, Sept. 3.* Last Sunday his Swedish Majesty held a Chapter of his Orders at Drontningholm (previous to the baptism of the newborn Prince, which is to be performed in great state and ceremony on Thursday next, at the Chapel Roy-

N n 2 al,

al) when he was pleased to nominate three Knights of the Order of the Seraphim, viz. Senator Baron Sparre, Great Governor of this capital, his brother Senator Fréderick Sparre, Governor of the Prince Royal, and General Count Possé, commander of the troops in Finland; also three Grands Croix, and five commanders of the Order of the Sword; seven commanders, and five Knights of the Order of the Polar Star; one Grand Croix, one commander, and three Knights of the Order of Vasa; and the Counts de Wachmeister, Charles Ferlon, Creutz and Bonde, were raised to the rank of Senators of Brevet.

*Cork, Sept. 9.* On the 7th inst. arrived at Kinsale, the *Montague* of 74 guns, Capt. Browne, the *Flora* of 36, Captain Marshall, and the *Alert* cutter; in the former came Admiral Rodney; they sailed from Jamaica the 26th of July, and came through the windward passage, in company with Admiral Pigot, and parted with him a few days afterwards. On the 1st instant, lat. 40, long. 30, they parted, by signal, with the *Resolution* of 74 guns, Capt. Symonds, and the *Anson*, of 64 guns, Captain Rodney; these ships, it is said, are ordered to cruise to meet the homeward-bound fleet, which sailed from Port Royal the 25th of July, under convoy of the following ships, viz.

Ships.	Guns.	Commanders.
Ramillies,	74	{ Admiral Graves Capt. Mériarty
Ville de Paris	104	
Hector	74	Capt. Curgeuven
Glorieux	74	Baucher
Canada	74	Cadogan
Centaure	74	Cornwallis
Ardent	64	Inglefield
Jafon	64	Keppel
Caton	64	Merrick
Amiable	32	Fisher
Pallas	36	Hoodge
		Thomas.

*London, Sept. 20.* A vessel is arrived at Morlaix with tobacco from Virginia, which left Cape Henry the 11th of August; as she passed down Chesapeake bay, she saw fourteen sail of French men of war of the line, several frigates, and other vessels who had taken shelter under their protection. This fleet was bound to Rhode Island. The whole force that sailed from Cape François, was 23 sail of the line, one fifty, eight frigates, &c. Seven of the ships which wanted masts went on to Boston, and three were appointed to an expedition northward, said to be against Newfoundland.

When this vessel left Virginia, there was no French troops whatever to the southward of General Washington's Head Quarters in the Jerseys; they had marched early in June to the northward, after acting with General Green in the Carolinas with the utmost harmony and goodwill towards the Americans; the various stories put forth by interested men as to their having a strong post at York, and meant to possess Virginia, had disturbances and quarrels with the natives, &c. are as groundless as those formerly put forth, that they had got possession of, and commanded Rhode Island.

A very extensive trade, during the Spring and Summer, had been carried on from the French islands, St. Thomas's, Havannah, &c. into Chesapeake bay; and the corps of grain, tobacco, and fruit, being greater than had been known for many years, would afford the most ample returns, as well as supplies, to the French fleet then in the bay. Several ships, under Imperial and Danish colours, had found their way to Virginia to procure cargoes of tobacco, which sold remarkably cheap in exchange for European goods.

The

The following is an authentic List of the British fleet, which sailed last week for the relief of Gibraltar.

# LINE OF BATTLE. V A N.

Golliah.  
Foadroyant  
R. William  
Britannia Vice Adm. Barrington  
Atlas  
Ruby  
Panther  
Pegase  
Edgar C. Hotham  
Polypheumus  
Suffolk  
Vigilant

## C E N T E R.

Courageux  
Crown  
Alexander  
Sampson  
Princess Royal  
Victory, Visc. Howe, Com. in Chief.  
Blenheim  
Asia  
Egmont  
Queen Rear Admiral Hood  
Bellona

## R E A R.

Ganges  
Raifonable  
Fortitude  
Amelia Rear Adm. Sir R. Hughes  
Berwick  
Bienfaifant  
Dublin  
Cambridge  
Ocean Vice Admiral Milbank  
Union  
Buffalo  
Vengeance

The following is a copy of the resolutions entered into by the State of Delaware, at their General Assembly, held on Tuesday the 18th of June, 1782.

Resolved unanimously, first, That the United States assembled in Congress have, by virtue of their act of

confederation, the sole and exclusive right and power of determining upon peace or war, and also of concluding alliance and treaties.

Secondly, That the honour and true interests of the United States require an inviolable adherence to the engagements of the treaty between his Most Christian Majesty and the said States.

Thirdly, That any man, or body of men, who shall dare, without having previously obtained the consent of the said United States assembled in Congress, to enter into any negotiation concerning a peace or a truce with the King of Great Britain, or with his agents, shall be considered and treated as enemies to the said State.

Fourthly, That all the forces shall be called forth to enable Congress to prosecute the war, till such time as a peace can be obtained that is compatible with our fœderative union, and our national faith.

Ordered, That a copy of the above resolutions shall be immediately sent to the Delegates of this State in Congress for their instruction. (*Sent for concurrence.*)

In Council, 19th June, 1782, read and agreed to:

Signed by order of the Council,  
THOMAS COLLINS, Speaker.  
Extract from the Minutes, signed

JAMES BOOTH,  
Secretary to the Assembly.

To his Excellency WILLIAM FRANKLIN, Esq. Governor and Commander in Chief of the Province of New Jersey, &c. &c. &c.

"May it please your Excellency,  
"The Loyal Refugees from Connecticut, impressed with a high sense of your Excellency's uniform attachment to the best of Sovereigns, and of your steady and unwearied attention to their interest on every occasion, beg leave to wait on you previous to your embarkation for Europe,



repe, and request your acceptance of their warmest thanks.

"We have witnessed your unshaken loyalty during a tedious confinement; and imprisonment in Connecticut, and that zeal which in the most trying scenes prompted your determined exertions in support of the royal cause. Since your enlargement, we have experienced your patronage, your easiness of access, and unremitting attention to alleviate the distressed Loyalists of every rank. We flatter ourselves the essential services you have rendered, must procure you the kind reception of a gracious Sovereign, as they merit the most sensible gratitude of every Loyalist, from whose memory they will never be effaced.

"This would make us heartily regret your departure, did we not promise ourselves, that the thorough information you have of the true state of this country may enable you at this critical juncture to render more essential services to us, as well as the British empire.

"After placing the most unlimited confidence in the royal assurances we have at different times received, and after our sacrifices and loss of property, we should feel ourselves but ill requited, were we to be abandoned and dismembered from the empire; but our misery and distress must be complete should we become subjected finally to a Republican system. We cannot therefore doubt that every attention will be ultimately paid to the protection of our persons and properties, which we consider can only be effected by a reunion.

"The late successes of his Majesty's arms, added to the state of the country oppressed with taxes; the disposition of returning to a connection with the Mother Country, and remaining part of the British Empire (for which we appeal to your own knowledge) we doubt not might procure an honourable peace,

and that the liberal terms heretofore offered, would render America at large happy and contented, only in such a connection.

"We beg you will accept our most hearty wishes for your health, happiness, and prosperous voyage, and our assurances that

"We are, with the greatest respect,  
"Your Excellency's most obedient  
"And most humble servant,

(Signed in behalf of the Refugees from Connecticut,)

JOSHUA CHANDLER."

*New-York, Aug. 10, 1782.*

*To the LOYAL REFUGEES from Connecticut.*

"Gentlemen,

"Be pleased to accept my hearty thanks for your kind address. The sentiments of gratitude and regard it contains, cannot but afford me the highest satisfaction, and more than compensate any services I may have rendered the Loyalists of Connecticut. Had those services been more adequate to my wishes, they would have been much less disproportionate to their merits. The many instances I have been witness to of the ardent zeal of the numerous loyal subjects in that colony for the cause of their Sovereign, and the particular civilities and favours they bestowed on me during my long confinement, often at the risk of their lives and fortunes, could not fail of inciting my warmest attachment and best endeavours in their behalf.

"You may rely, gentlemen, that I shall not fail to represent your situation and sufferings, nor omit any exertion in my power, to obtain that relief you solicit; and to which you are so justly entitled.

"I am, with the sincerest wishes for your future happiness,

"Gentlemen,

"Your most obedient,

"And most humble servant,

"WILLIAM FRANKLIN."

*New-York; Aug. 13, 1782.*

*From*

*From the LONDON GAZETTE.*

*Whitehall, Sept. 28.* The King has been pleased to appoint the Hon. Charles Howard, commonly called Earl of Surrey, to be Lord Lieutenant and Custos Rotulorum of the West Riding in the county of York, and of the city of York and county of the same.

The King has been pleased to appoint the Earl of Fauconberg to be Custos Rotulorum of the North Riding of the county of York.

*Constantinople, Aug. 26.* On the 22d instant, about ten o'clock at night, a fire broke out in the quarter called Gibasi, situated towards the middle of the harbour, which a high north wind extended to such a degree, as to baffle, for some time, the efforts made to suppress it. This conflagration, the greatest perhaps that ever happened, continued during 62 hours, without intermission, with such fury, that one of the largest palaces, the habitation of the Aga of the Janissaries, disappeared in less than ten minutes. The flames proceeded from sea to sea, and burned even the Seven Towers, at the opposite extremity of the city. In this direction the fire raged three miles in length, through the richest and best inhabited streets, on a front sometimes a mile broad, and sometimes less, according to the irregular hilly situation of the city. In some places it extended in different directions, so that at one time there appeared no less than 11 distinct conflagrations, most of which ceased only at the sea side, after consuming the very wharfs. It is impossible to estimate the losses of all kinds occasioned by this calamity; but it is certain, that numbers of people perished in the flames, and that many were driven by them into the sea, and unfortunately drowned. Previous to these sad disasters with which this unfortunate city has been

lately visited, it was supposed to contain 70,000 houses, of which it is believed about two-fifths now lie in ruins. It is more easy to conceive than describe the scene of distress which a city in this lamentable situation must exhibit, with, perhaps, 200,000 unprovided inhabitants. The Grand Signior and all the Ministers of the Porte as usual attended on this awful occasion, and distributed money to the people; and an order was published by the Musti to suspend the fast of the Ramazan, that the people might recruit their strength, and be the more able to work. Owing to the direction of the wind, which continued high during the fire, the flames did not approach the quarter of the Porte, and Seraglio; but the people of the law have suffered prodigiously, and, among other public edifices, all the chambers of the Janissaries, upwards of 50 Mosques, 300 corn-mills, and 200 public ovens, have been destroyed.

*Carlshue, Sept. 8.* Yesterday her Serene Highness the Hereditary Princess of Baden-Dourlach was safely delivered of a Princess, who was baptized by the name of Maria Elizabetha-Wilhelmina.

*From the Same.*

*Copy of a letter from Capt. TIMOTHY KELLY, Commander of his Majesty's ship the Fly, to Mr. STEPHENS, dated Falmouth Roads, September 27, 1782.*

I beg you will please to inform my Lords Commissioners of the Admiralty, that I sailed from this place on the 25th instant, for the prosecution of the herring fishery, and the next day, being cruising off Munkey, received information that a French cutter privateer had taken a Brig and sloop near Cromer upon which I immediately made sail, and soon after discovered them; when

after a short chase I recaptured the brig and sloop, and renewed the chase after the cutter, which I also took after a chase of five hours: She proves to be L'Esclamateur of Dunkirk, commanded by one Thomas Roberts, an American, mounting fourteen four-pounders, but pierced for sixteen, and sixty-five men. I arrived here this afternoon, and have brought her with me. She had been from Dunkirk three days, and had taken nothing but the brig and sloop.

By the Lord Lieutenant-General and General-Governor of Ireland,

### A PROCLAMATION.

NUGENT TEMPLE,

Whereas the Parliament of this kingdom stands prorogued to Tuesday the 24th day of September instant; We do publish and declare, that the said Parliament be, and accordingly the said Parliament is, hereby further prorogued to Tuesday the 26th day of November next; whereof the Lords Spiritual and Temporal, and the Commons in this present Parliament, are to take notice accordingly.

Given at his Majesty's Castle of Dublin, the 23d day of September, 1782.

By his Excellency's command,

W. W. GRENVILLE.

GOD save the KING.

*Dublin Castle, September 23, 1782.*

Yesterday being the anniversary of his Majesty's coronation, in the morning the flag was hoisted on Bedford Tower; at noon the great guns in his Majesty's park the Phoenix were fired three rounds, and answered by the volleys from the regiments in garrison, which were drawn out in the Royal Square at the barracks; and at night there were illuminations and other demonstrations of joy throughout the city,

To his Grace WILLIAM HENRY CAVENDISH, Duke of PORTLAND, Lord Lieutenant and General-Governor of Ireland.  
The humble Address of the Roman Catholics of Ireland.

May it please your Grace,

We his Majesty's dutiful and loyal subjects, the Roman Catholics of Ireland, beg leave to approach your Grace with sincere professions of our affectionate, loyal, and steadfast attachment to the person and family of our most gracious Sovereign, and of our ardent zeal to promote, by every means in our power, the success and glory of his Majesty's arms, and the tranquility and prosperity of his empire.

With every sentiment of the most unfeigned gratitude to our humane and enlightened legislature, we feel with pleasure that we are allowed to have a home in our native land; and we shall never forget that the Royal assent was given by the Duke of Portland to laws which in a considerable degree have restored us to the privileges of subjects, and to the rights of men. Your Grace's known generosity, and enlarged mind, encourage us to hope that you will be pleased to represent us to his Majesty, as a body of people capable of returning gratitude for benefits, and not unworthy of his royal protection and favour.

Permit us, my Lord, to join with the rest of our fellow subjects, in declaring the high and grateful sense we entertain of the liberal and tolerant spirit which so amply displays your Grace's magnanimity, and of that wise and benevolent conduct which has so strongly marked your Grace's administration, and justly obtained the unanimous applause of the nation.

Sept. 12, 1782.

Signed for the Roman Catholics of Ireland,

GORMANSTOWN,

ROBERT CADDELL,

ANTHONY DERMOTT.

*His*

*His GRACE'S Answer :*

"I return you thanks for this address: the sentiments of loyalty and attachment to his Majesty's government, which you profess, are the natural result of the indulgencies you have lately received from the wisdom and liberality of the legislature. By persevering in the conduct which has engaged you to them, you can alone recommend yourselves to its further favour and protection.

"I am much obliged to you for your professions of personal attachment and good wishes to myself, and you may be assured that I shall not fail to represent you to his Majesty, in the same favourable light in which I have always considered so considerable and respectable a body of his subjects.

*Dublin, September 14.*

To his Grace WILLIAM HENRY CAVENDISH BENTINCK, Duke of PORTLAND, &c.

We the High Sheriff and Grand Jury of the King's County, think it a duty incumbent on us to return your Grace our sincere thanks for the many benefits this kingdom has received, and for the constitutional laws which have been passed during your Grace's administration.

The foundations have been laid for a permanent and constitutional union between Great Britain and Ireland; we had every reason to expect, from the principles of patriotism and public spirit that have ever marked the line of your Grace's conduct, that were you continued in this government, you would exert every effort in your power to ascertain, in the clearest manner, our rights and liberties, and consequently insure harmony and peace to those kingdoms.

We cannot entertain a doubt but your Grace on your return to England, will make the same just representation of the conduct and principles of this nation, and of our

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sincere attachment to the welfare of our sister kingdom, as you have already done in the course of your government, and which has produced such happy effects; and we trust your Grace will, as the friend of constitutional freedom and independence, continue still the friend and patron of Ireland.

John King, Sheriff  
T. Coghlan, foreman  
John Warburton  
Law. Parsons  
Edmund Armstrong  
James Franck Rolleston  
John Lucas  
John Droucht  
George Cabborn  
Thomas Bernard  
And. Armstrong, C. A.  
Charles Walsh  
Shaw Cartland  
Daniel Bagot  
Garret Moore  
Nicholas Gamble  
Henry Palmer  
And. Armstrong  
John Weldon Tarlton  
John Wakeley  
James Jackson  
Randal Cooke  
Digby Cooke  
Thomas Norris.

Resolved, That the High Sheriff be requested to convene a meeting of the inhabitants of this county, to take into consideration a measure of great importance.

In consequence of the above resolution, the Sheriff has appointed Friday, the 20th day of September instant, at one o'clock, to meet at Egan's, at Tullamore.

*His GRACE'S Answer.*

Gentlemen,

I return you my best thanks for this kind and friendly Address, The only object I had in view when first I undertook the government of this country, was to establish that permanent and constitutional union between Great Britain and Ireland,

O o

which,

which, you are justly of opinion, can alone insure the peace and harmony, the happiness and prosperity of both kingdoms; and it gives me peculiar satisfaction to receive, at my departure, so honourable a testimony of your approbation of my conduct, and of the measures I pursued to accomplish my wishes.

You may be assured, that on my return to England, I shall faithfully represent the loyal disposition of his Majesty's dutiful subjects of this kingdom, and their attachment to the welfare of their sister country; and that through life I shall anxiously seize every opportunity of proving myself the friend and well-wisher of Ireland.

*Dublin-Castle, July 31, 1782.*

SIR,

His Grace my Lord Lieutenant having transmitted to be laid before his Majesty the Address to his Majesty from the Presbyterian Ministers and Elders of the Province of Ulster; I have his Grace's commands to inform you, that he has received a letter from the Right Hon. Thomas Townshend, his Majesty's Principal Secretary of State, acquainting his Grace that his Majesty was pleased to receive the same in the most gracious manner.

I have the honour to be, Sir,

Your most obedient

Humble servant,

R. FITZPATRICK.

*Rev. Thomas Read.*

*Dublin, Sept. 21.* This day the Protestant Dissenters in Dublin, waited upon his Excellency the Lord Lieutenant, with the following Address, and were most graciously received:

*To his Excellency GEORGE NUGENT GRENVILLE, Earl TEMPLE, Lord Lieutenant-General, and General-Governor of the kingdom of Ireland.*

"May it please your Excellency,  
"We are deputed by his Majes-

ty's dutiful and loyal subjects, the Protestant Dissenters of Ireland, to congratulate your Excellency on your safe arrival in this kingdom, as our Chief Governor.

"Zealous on every occasion to testify the most inviolable attachment to our gracious Sovereign, and to the principles of civil and religious liberty, with which the ease and honour of his government are inseparably connected, we cannot omit the present opportunity of pouring out the warmest effusions of our gratitude for the truly liberal and dignified attention which the indulgent father of his people hath paid to the ardent wishes and essential rights of this country, under the virtuous Administration of the Duke of Portland.

"Fully persuaded that it must ever be the highest ambition of our Sovereign to rule over a free and united people, and impressed with the most favourable sentiments of your Excellency's abilities and character, we entertain the most pleasing hope, that the real welfare and prosperity of this kingdom, will be the unwavering objects of your Excellency's administration.

"And we humbly presume to assure your Excellency, That the Protestant Dissenters of Ireland, will not yield to any of their fellow subjects in affectionate loyalty to their King, a high respect for your Excellency, and a religious reverence for the happy Constitution under which they live."

To which his Excellency was pleased to give the following most gracious answer:

"Gentlemen,

"I return you my best thanks for your congratulations to me, on my arrival in this kingdom, and for the favourable opinions of me which you are pleased to express.

"The real welfare and prosperity of Ireland, are indeed objects near to

to my heart; and I am persuaded, that I cannot better promote them, than by giving every encouragement to that liberal spirit of religious toleration, which has laid the solid foundation for her future greatness. The Protestant Dissenters of Ireland will always experience my warmest regard and good wishes, so much due to them for their steady loyalty to the King, and their religious reverence to our happy Constitution."

*Dublin, Sept. 24.*

Sunday his Excellency the Lord Lieutenant and the Right Hon. W. W. Grenville, went to the parish church of St. Werburgh's, in order to qualify; and after hearing an excellent sermon, received the holy communion.

Yesterday his Excellency the Lord Lieutenant, accompanied by a great number of the nobility and gentry, were entertained at dinner by the Right Hon. the Lord Chancellor, at his country seat at Stillorgan.

Last Saturday the Rev. Dr. Law was consecrated Lord Bishop of Clonsilla, in the Castle-chapel; the ceremony was performed by his Grace the Lord Archbishop of Tuam, and the Right Rev. the Lord Bishop of Meath.

Sunday being the anniversary of their Majesties coronation, the same was observed in this city with the usual demonstrations of joy.

Festive hospitality has once more revisited the Castle, where, since the days of Northumberland and Townshend, she has been a stranger. The Castle Goose is no longer permitted to hatch her young ones in the kitchen grate, nor scanty wages given to servants. The battle-axe guards, board of green cloth, the officers doing duty at the Castle, even the private centinels, partake of the bounties of the hospitable table.

There are no less than six tables revived at the castle, by order of his Excellency, served with all kinds of

eatables and wines, and the utmost magnificence and liberality observed.

Sunday the Dorset yacht, Sir Alexander Schomberg, sailed for Holyhead, to bring over the Right Hon. the Countess of Temple."

Sunday the Jane, Hayward, from Bristol; the Susey and John, M'Mullea; and the May, Gray, from Greenock, all with tobacco and sugar, arrived in this port.

Sunday the Young John, Moweyman, from Ostend, with merchandise, arrived in this port.

Yesterday sailed in the Clermont packet, for Holyhead, the Earl of Bellamont, and the Right Hon. Mr. Fitzpatrick.

By a letter from Wexford, dated Sept. 17, we learn, that the preceding morning a sloop bound from hence to Dublin, with 154 firkins, and 28 cubs of butter, after she sailed, the wind having shifted, and endeavouring to put back, was driven on the bank, where it is feared she will be lost, but the cargo, it is hoped, will be saved. A poor woman, passenger on board, had her child washed out of her arms, and was lost; the rest were all saved.

*Extract of an authentic letter from Ballymoney, dated September 19, 1782.*

"Yesterday we had a review of thirty volunteer corps at this place, and after the review, a mock engagement, concluded by an attack and defence of the town; the whole afforded infinite pleasure to an amazing crowd of spectators, and no less to the General, James Leslie, Esq. who expressed the highest satisfaction at the appearance and discipline of the troops. The exercising officer, Major M'Manus, has acquired great honour by the excellent plan of review and engagement, and the masterly manner in which both were conducted. The day was remarkably fine, and seemed to evince, that Providence, as usual, "looked

down on the Volunteers with an eye of peculiar satisfaction."

"In the evening, a meeting of Delegates from the several corps was held, when they unanimously agreed on a very proper and spirited address to the Reviewing General: thanks to the exercising officer, and a resolution to call a provincial meeting of the Volunteer Delegates at Dunganannon, previous to the next session of Parliament, in order to consider of the most effectual means to procure an Irish Bill of Rights, for the purpose of declaring and securing the freedom and independence of our Constitution; and they appointed a committee to call said meeting in the name of the whole, when the proper time shall arrive.

"They also agreed to a resolution, reprobating in the strongest terms that pernicious measure—the raising of *fencible regiments* in Ireland; and declaring their opinion, that any volunteer enlisting therein merited expulsion from his corps.

"To this latter resolution there was one dissenting voice. Nine Delegates very properly declined voting for their corps, because they were not instructed on this point by their constituents, though they in general declared their own opinions to be decided in favour of the resolution.

"It must give great pleasure to every friend of his country to find, that Volunteer Delegates no longer presume to give their own opinions as the sense of the corps they represent, and I sincerely hope a very little time will make this principle universal, as every day's experience proves more and more, that it is among the privates of the Volunteer Corps, that we are sure to find that patriotic virtue which cannot be corrupted by ambition, nor seduced by connection with the great."

A letter from Marseilles, dated the first of September, to a house in

this city, mentions the arrival there of three gentlemen from the coast of Coromandel, charged with intelligence of the most important nature from M. de Suffrein, no less, it is said, than the total discomfiture of the British fleet and army in the Peninsula of India, and the greatest preparations making by the combined forces of Holland, France, and Hyder Ally, for a general attack on all the British settlements in Asia.—Though we have some reasons to fear some part of the above very interesting account not entirely void of foundation, yet so sudden a change in our affairs in that part of the world favours too much of the marvellous to deserve implicit belief. The city of Marseilles and all the Bassides were illuminated on this occasion the 30th of August.

We hear, from unquestionable authority, that a remonstrance, in the strongest terms, against a fencible scheme, left the Castle yesterday for London. What answer will be returned, Time will shew.

This kingdom has been so often bubbled by too great confidence in first promises, that however flattering may be the outset of the present Administration, it behoves the nation not to be lulled into an ignoble supineness.—The liberties of Ireland are now or never to be established on an impregnable foundation.—Till the shadow of *simple repeal* be converted into a substantial one, either by *renunciation*, or a *declaratory Bill of Rights*, and the infamous job of the *fencible regiments* be crushed, and both these done, not by *promises*, but *bona fide* by *absolute execution*, let no hasty credence further disgrace the circumspection of Irishmen.

Another correspondent observes, that if his Excellency Lord Temple wishes to found a proper confidence of the purity of his intentions towards forwarding and establishing the rights of Ireland, let him avoid

all

all terms of an unequivocal complexion in his first assurances. Saying, "that he accepted the government of this country but on such terms as will prove honourable to himself, and beneficial to the people," is general language that conveys no explicit satisfaction. If Lord Temple be sincere, let him speak out like a man, and declare, not in *vague* but in *unequivocal* terms, that he will use his utmost endeavours that the commercial and constitutional rights of Ireland shall be fixed on a more *firm* and *satisfactory* base of security than that of the nugatory one of the *simple repeal* of the 6th of Geo. I.

At a very numerous meeting, this morning, of the Irish brigade, (pursuant to notice) the Right Hon. the Earl of Mornington was unanimously elected Colonel for three months, and at the same time the Monks of the scrow of the most noble order of St. Patrick were enrolled as honorary members.

#### MERCHANTS' CORPS.

At a general meeting of the Merchants' Corps, at the Royal Exchange, on Friday the 20th of September, 1782,

Captain ARTHUR STANLEY in the chair,

Resolved unanimously, That the principle of our association was the defence of this kingdom and its constitution, against all enemies, foreign and domestic; and, that we consider the Volunteer Army as perfectly competent to that purpose.

Resolved unanimously, That to raise new regiments under the denomination of Fencibles, appears to us improper and unnecessary, as conveying an ungenerous distrust of the Volunteers of Ireland, injurious to the recruiting service for the Navy, and in contradiction to that plan of economy and retrenchments which we were taught to believe would be adopted in this kingdom.

Resolved, That we consider the adviser of this measure as an enemy to this country, and a traitor to his King—because, that, notwithstanding our well-known strength, it holds out an idea to our enemies, that we are not sufficient to the end of self-defence without the aid of Fencibles. And

Resolved, That we will consider any member of a Volunteer Corps who shall solicit or accept any command in, or enter into any Fencible Regiment—unworthy the name of Irishman—sacrificing the real interests of his country to his own mercenary views.

Signed by order,

J. GALLOWAY, Sec.

#### CASTLEBAR VOLUNTEERS.

At a meeting of the Castlebar Volunteers, held this day, August 8, 1782,

PATRICK R. McDONNELL, in the chair,

Resolved; That every attempt to divide, in the smallest degree, the Volunteers of this kingdom, ought to be opposed in its earliest stage by the strenuous exertions of every Irishman, especially at this very critical—this very awful moment, when unanimity and concord only can save us from either foreign or domestic enemies.

Resolved, That we will therefore oppose every attempt which shall be made to raise any men for those regiments called Fencibles.

Resolved, That mercenary troops can never be considered as the Guardians of the Constitution, or the Protectors of the liberties of their country.

Resolved, That as soon as the present doubts respecting the independence of this kingdom, be cleared up, we will exert ourselves in assisting to raise 20,000 seamen, voted by our Parliament to Great Britain.

Resolved,



Resolved, That the foregoing resolutions be published in the Dublin Evening Post, and Connaught Advertiser.

The Chairman having left the chair,

Resolved, That the thanks of this corps be given to Captain M'Donnel, for his spirited and proper conduct in the chair.

#### ARMAGH MEETING.

At a very numerous meeting of the Gentlemen, Clergy, and Freeholders of the county of Armagh, convened by public notice on the 20th of September, 1782,

HENRY HARDING, Esq. Sheriff, in the chair,

The following resolutions were entered into:

Resolved unanimously, That freedom is the inherent birth-right of Irishmen.

Resolved unanimously, That the interference of the British Parliament, either in creating or securing the liberties of Ireland, would be extra-judicial, and of course inadequate.

Resolved therefore unanimously, That the repeal of the act of the 6th of George the First, claiming a right to bind this kingdom, is a sufficient apology for the usurpation which Great Britain had exerted, and shall consider it, with respect to her, as satisfactory.

Resolved unanimously, That it is incumbent on us to hand down to posterity, in the most sacred manner, a solemn record of the liberties of this country, restored by the virtue and exertion of the people, in the glorious era of 1782.

Resolved, *two dissenting voices only*, That we shall consider an Irish Bill of Rights, passed by our Parliament, and assented to by our King, as that solemn security and record which we think it necessary now to demand.

Resolved unanimously, That we

highly approve of the liberality of our representatives in granting 5000 men of our establishment as an aid to our sister kingdom, convinced with them that the country was, is, and will be sufficiently protected by the spirit, number, and discipline of its Volunteer Army.

Resolved unanimously, That no change has happened, either to alter that situation, or to restore that security.

Resolved, *Two dissenting voices only*, That considering the raising of Fencible Regiments as totally unnecessary for the protection of this country, we can view them in no other light, than as an insidious attempt, for private ends, to disunite and weaken the Volunteer Army, and to create particular influence.

Resolved unanimously, That we think it a duty we owe to ourselves and our country, to reprobate such an attempt in the strongest manner, and to express our detestation of it in the most unequivocal terms.

Resolved unanimously, That even if an additional military force was found necessary for the garrison duties of this country, we should consider an increase of bounty granted by government for completing the regiments on this establishment as a much more regular and economical method of answering that end.

Resolved, That the thanks of this meeting be presented to George William Molyneux, Esq. for his active and constitutional conduct at the meeting.

Resolved, That these resolutions be signed by the Sheriff, and published in the Dublin Evening Post and Belfast News-Letter.

(Signed)

HENRY HARDING, Esq.

High Sheriff,

WILLIAM RICHARDSON, Esq. having taken the chair,

Resolved, That the thanks of this meeting be returned to our worthy Sheriff for his readiness in convening this

this meeting, and his very proper conduct in the chair.

#### ULSTER REGIMENT.

At a meeting of the committee convened by public notice, at Lisburn, 17th September, 1782,

Delegates from fifteen corps present,

The Hon. Colonel ROWLEY in the chair,

The following resolutions and address were unanimously agreed to, and ordered to be published in the Dublin Evening Post and Belfast News-Letter.

Resolved, That we are informed that a number of regiments are at present raising in this kingdom under the name of Fencibles, who are to receive arms and ammunition from government, and after a certain time, to be paid.

Resolved, That any officer of this regiment, who shall accept a commission, or private, who shall enlist in any of the Fencible Corps, shall be considered as a shameful deserter from the cause of his country, and as such ignominiously expelled from our association.

Because, We can conceive no reasons that can be advanced for raising Fencibles, but such as are either frivolous or dangerous, the Volunteers of Ireland, in conjunction with the regular forces left in the kingdom, after the five thousand men voted for the common service of Great Britain, being amply sufficient for the defence of the nation. This was certainly the opinion of our Parliament, when they voted that additional strength to the common defence of the empire.

We consider the measure as fraught with the most unhappy consequences to the freedom and happiness of Ireland; it directly tends to disunite Volunteers, and depress the spirit of the Volunteer Army; it is a ready means of seducing Members of Parliament from the duty they owe their

constituents, as it evidently opens another great source of corruption; it is also impolitic and unreasonable, when the present exhausted state of our finances is considered, as the money saved by the putting five thousand men under the pay of Great Britain, might have been better applied, to lessen the expences of a nation already burthened with too many useless establishments. Upon the whole, it is our decided opinion, that whether the measure originated in *ignorance* or *policy*, the consequence will be the same; the introducing in the room of an army of Independent citizens, a mercenary force, which the experience of ages has proved baneful to the liberties of mankind.

Resolved, That upon the first alarm of an invasion, in September 1781, this regiment made an immediate offer of its service to the Lord Lieutenant, to be employed in any manner he might deem most conducive to the safety and protection of the kingdom.

Resolved, That we will not, on any future occasion, act in any military capacity with any body of men under the denomination of Fencible Regiments.

A letter signed Francis Dobbs, addressed to the Volunteer Delegates who met at Dungannon, the 21st of June, 1782, being read,

Resolved, That in our opinion a man who could endeavour by unfair insinuations, to damp that spirit to which he owed the unworthy occasion of writing the letter alluded to, deserves no particular answer from the Delegates of Ulster—he may collect the sense of that body from the universal odium in which the measure he defends is held.

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London, September 24.

The following circular letters have been received by the Right Honourable the Lord Lieutenant of Warwickshire, from one of his Majesty's Principal

Principal Secretaries of State, respecting the sixth and twenty-fourth regiments of infantry, which have been appointed to, and to bear the name of that county.

( C I R C U L A R )

*Whitehall, Sept. 10, 1782.*

MY LORD,

The very great deficiency of men in the regiments of infantry being so very detrimental to the public service, the King has thought proper to give the names of the different counties to the old corps, in hopes that by the zeal and activity of the principal nobility and gentry in the several counties, some considerable assistance may be given towards recruiting these regiments. As this is a point of the utmost public importance, his Majesty has no doubt of your Lordship's using your utmost influence among your friends for the accomplishment of it.

The King has been pleased to appoint the sixth regiment to the county of Warwick as first regiment, and to bear its name

Though I had the honour of writing to your Lordship before upon this subject, it is judged proper to repeat the application, on account of the very great urgency of the demand for men.

I have the honour to be,

My Lord, your Lordship's

Most obedient humble servant;

T. TOWNSHEND.

*Lord Lieutenant of the  
County of Warwick.*

( C I R C U L A R )

*Whitehall, Sept. 10, 1782.*

MY LORD,

The very great deficiency of men in the regiments of infantry being so very detrimental to the public service, the King has thought proper to give the names of the different counties to the old corps, in hopes that by the zeal and activity of the principal nobility and gentry in the several counties, some considerable assistance may be given towards re-

cruiting these regiments. As this is a point of the utmost public importance, his Majesty has no doubt of your Lordship's using your utmost influence among your friends for the accomplishment of it.

The King has been pleased to appoint the twenty-fourth regiment to the county of Warwick, and to bear its name as second regiment.

I have the honour to be,

My Lord, your Lordship's

Most obedient humble servant,

T. TOWNSHEND.

*Lord Lieutenant of the  
County of Warwick.*

The circular letter, of which the following is a copy, has been received by his Grace the Duke of Marlborough, Lord Lieutenant of Oxfordshire, from one of his Majesty's Principal Secretaries of State, respecting the 52d Regiment of Infantry, which has been appointed to bear the name of this county.

( C I R C U L A R )

*Whitehall, Sept. 10, 1782.*

MY LORD,

The very great deficiency of men in the regiments of infantry being so very detrimental to the public service, the King has thought proper to give the names of the different counties to the old corps, in hopes that by the zeal and activity of the principal nobility and gentry in the several counties, some considerable assistance may be given towards recruiting these regiments. As this is a point of the utmost public importance, his Majesty has no doubt of your Grace's using your utmost influence among your friends for the accomplishment of it.

The King has been pleased to appoint the 52d regiment to the county of Oxford, and to bear its name.

I have the honour to be, my Lord, Your Lordship's most obedient humble servant,

T. TOWNSHEND.

*Lord Lieut. of the County of Oxford.*

To

To the Right Hon. the Earl of ORFORD,  
Lord Lieutenant of the County of  
Norfolk, &c. &c.

Whitehall, Sept. 10, 1782.

MY LORD,

The very great deficiency of men in the regiments of infantry being so very detrimental to the public service, the King has thought proper to give the names of the different counties to the old corps, in hopes that by the zeal and activity of the principal nobility and gentry in the several counties, some considerable assistance may be given towards recruiting these regiments. As this is a point of the utmost public importance, his Majesty has no doubt of your Lordship's using your utmost influence among your friends for the accomplishment of it.

The King has been pleased to appoint the fifty-fourth regiment to the county of Norfolk (West) and to bear its name.

I have the honour to be,

My Lord,

Your Lordship's most obedient,

Humble servant,

T. TOWNSHEND.

*Copy of a letter from the Right Hon. General CONWAY, Commander in Chief of his Majesty's Land Forces, to Major-General Sir ROBERT PIGOT, Bart.*

London, Sept. 5, 1782.

SIR,

I have the favour of your letter, inclosing Mr. Bayley's to you, and the plan of the military association at Manchester, which I have mentioned to his Majesty, who orders me to signify his entire approbation of it, and, on applying to the War-Office, commissions for all the officers will be delivered without any expence to them, except the stamps, which are inconsiderable. The changes of the Captains and subalterns may take place once a year without inconvenience. As many applications have been made from the other Vo-

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lunteer Corps for standards, it is thought proper to suspend any determination upon them for the present.

I have the honour to be,

SIR,

Your most obedient,

And most humble servant,

H. S. CONWAY.

Major-General Sir Robert Pigot, Bart.

*Copy of a letter from the Commander in Chief of his Majesty's Forces, to the Commanding Officer of the 47th regiment.*

COPY. (CIRCULAR.)

London, 31st August, 1782.

SIR,

His Majesty having been pleased to order that the 47th regiment of foot, which you command, should take the county name of the Lancashire Regiment, and he looked upon as attached to that county; I am to acquaint you, it is his Majesty's further pleasure, that you should in all things conform to that idea, and endeavour by all means in your power, to cultivate and improve that connection, so as to create a mutual attachment between the county and regiment, which may at all times be useful towards recruiting the regiment. But as the compleating of the several regiments, now generally so deficient, is, in the present crisis, of the most important national concern, you will, on this occasion, use the utmost exertion for that purpose, by prescribing the greatest diligence to your officers, and recruiting parties, and by every suitable application to the gentlemen and principal inhabitants; and as nothing can so much tend to cultivate their affections, as an orderly and polite behaviour towards them, and an observance of the strictest discipline in all your quarters, you will give the most positive orders on that head: and that you immediately make such a disposition of your recruiting parties, as best answer these ends.

P p

I have

I have the honour to be, Sir,  
your most obedient, and most humble  
servant,

H. S. CONWAY.

General Sir Guy Carleton, or  
the Officer commanding the  
47th Reg. of Foot.

( C I R C U L A R )

SIR,

I have the honour to enclose to you a copy of a letter which I have received from General Conway, informing me, that it is his Majesty's pleasure, that the 47th regiment, which I have the honour to command, should bear the name of the Lancashire Regiment, and be considered as attached to the county, and desiring me to use every endeavour in my power to extend the connection between the county and the regiment.

As this has been granted to the regiment at my request, I need not say, how agreeable it will be to me to promote his Majesty's intentions, and I beg to assure you, that every attention in my power shall be used to preserve the greatest harmony between the inhabitants and soldiers.

The 47th regiment is at present very weak in numbers—it is my wish to complete it from the county; no measure appears to me better calculated to effect this plan, than by addressing myself to you, Sir, and the principal gentlemen of the county, to solicit your influence with the inhabitants, where my recruiting parties may be stationed, in favour of the regiment; and should any other more effectual plan be adopted by the gentlemen of the county, for completing the corps, it will ever be considered as a high honour.

I have the honour to be, with great respect, Sir, your most obedient servant,

P. AEMILIUS IRVING,

Lieut. Col. 47th, or Lancashire Reg.  
Warrington, 16th Sept. 1782.

*Copy of a letter from Sir ASHTON LEVER, to the Gentlemen concerned in the raising the Royal Manchester Volunteers.*

GENTLEMEN,

When I consider the situation of our true friends at Gibraltar, and that a fleet is going out for their relief, I think it our duty to shew our countrymen there some token of our attention to them. Suppose a sloop was to be loaded with potatoes, and sent to them from their friends, in Manchester. I should think a small subscription would immediately fill, to which I am very ready to pay my quota. This would convince the brave fellows, that they are not entirely forgot by those who had a hand in bringing them into their present situation, in which they have behaved with so much credit to themselves, and honour to their country.

I am, Gentlemen,

Your's affectionately,

ASHTON LEVER.

*Particulars of the very interesting conversation which took place at the anniversary feast of Mr. Fox's election for Westminster, at the Shakespeare Tavern, on Thursday October 10, 1782, including the the several speeches delivered by Mr. Fox, Mr. FALKENER, Dr. JEBB, Dr. TOWERS, and Mr. RICHARD BURKE.*

Mr. Fox, before he would name Mr. Burke, in giving him for a toast, begged leave to preface it with a few sentences. Whispers had circulated, he said, to that gentleman's prejudice of the most unjustifiable nature. A dislike to him had been industriously propagated, and nobody could tell for what. For his part, he knew not a more able, a more worthy, or a more determined patriot. He knew him to be a firm, and a tried friend to the constitution. His political principles were

were not the blind and obstinate attachments of a party, were not the expedients of interest, were not the temporary contagion of a faction, but the cool, the rational, the permanent convictions of a great, enlightened, and well-informed mind. He had done that for his country which none of his sincere well-wishers could possibly forget. His bill of reform, in spite of all his political enemies, immortalised his patriotism, and endear his name to posterity. There could not be a more substantial and illustrious proof of his disinterestedness, than this very bill. As he himself was the first and greatest victim to his own scheme; for of all the provisions made in that celebrated bill against the notorious prodigality of public money, so justly and generally reprobated by the people of this country, the retrenchments and restrictions in the Pay Office were by far the largest and most material. It was therefore his opinion he could not propose drinking the health of a gentleman, whose views of things were more consonant to those of the present company than his worthy friend Mr. Burke. If he differed from them in any matter, it was not about the essentials of liberty; for liberty had not a faster or more zealous friend: and he well knew him to be one who would always manage his differences from others, especially his friends, with manliness and liberality, with the temper and moderation of a gentleman. He was sensible his patriotism was not of a sort to depend on the caprice of a minute, or even to be controuled by the momentary frenzy of his best friends. He felt the consequence of supporting a truly firm and independent mind; and he was one of those who never hesitated to yield any thing to the solicitations of such as embarked with him in the same glorious cause of liberty, except where a surrender

of thinking and speaking honestly and openly was expected. This was the last privilege he would part with, and it made every one who thought and acted honourably, the friend and admirer of Mr. Burke.

In consequence of some things which dropped from Mr. Falkener, in the course of an elegant speech, a very spirited and interesting conversation ensued.

Dr. Jebb, who had offered himself twice to the audience, on seeing Mr. Richard Burke beckoning to the company from the lower end of the room, with that singular modesty and politeness which distinguished all his public appearances, gave place, when Mr. Richard Burke addressed them in a few sentences most happily calculated to recover the conviviality and good humour of the evening.

He asked the company what the anniversary of this day was instituted for. He thought they had met together for the purpose of realizing the happiness they enjoyed in the possession of those rights, in the defence of which their worthy Chairman so nobly and signally distinguished at once the talents of his head and the virtues of his heart. He asked them seriously whether they had got the length of their second bottle, as the company to whom he had the honour of managing the toast below, had set them an example of conviviality which it became them to follow. He told them they were not come to defend liberty, but to enjoy it; and that their wives and sweethearts would not thank them for spending that time in wrangling, which was devoted to the free circulation of the glass, to toasting their healths in bumpers, and to a generous increase of that good humour which gave a zest to all the various enjoyments of society. He did not wish that any thing should interfere with the proper business

business of the anniversary, with that harmony which he deemed a most flattering distinction, with that honest mirth, which was always the inseparable companion of acting honourably. He therefore recommended it to the Chairman to push about the jorum; and to those gentlemen who were so fond of speaking, to remember that they were now assembled, not to contend for blessings they possessed, but to celebrate a victory over the impotent attempts of such as would have wrested them from them. And he insisted it would be much to their honour to do this effectually, and with as much delight and sincerity of heart as they could possibly indulge. He concluded with hoping the right honourable gentleman in the chair would set his numerous friends above the same example of conviviality, which he himself had certainly done below.

The generous intention of this well-timed harrangue, the Hibernian brogue, and an infinite fund of good nature which accompanied the delivery of it, flung the company into a roar which lasted for some minutes. It had so much of that *naïvete* in it, for which his worthy brother has long endeared himself to the English, that he was unanimously *encored*. His health being then drank with three cheers.

Dr. Jebb stood up, and the company, who seemed sensible of his worth, were in the best disposition possible for giving him the most grateful attention. The smile that sat on his countenance, was an indication of what he would say, and his auditors were not disappointed.

He said, he should not deserve the attention of his fellow-citizens, or even to have a seat among them on this joyous and auspicious day, were he conscious of the least inclination to interrupt their conviviality for a single moment. For his own part,

he was sincerely glad to see every one as well as himself thus heartily disposed to enter into the spirit, to indulge the pleasure, to keep up the intention, and to support the honour of this anniversary; their worthy Chairman whom they had chosen for their representative, in opposition to every kind of exertion of undue influence, had been variously and severely tried, and from every fresh occurrence, which by his political character and virtues, were put to the test, the wisdom of their choice was more and more evinced and illustrated. He appealed to every elector within his hearing, whether his expectations from their delegate in parliament, were not liberally, punctually, and completely fulfilled. There was not a single article in his political creed, as well known as it was, as critically and capriciously inspected as it had been, as repugnant to the reigning profligacy of the court, as the minions of the Minister deemed it, from which he had ever once deviated in the remotest degree. There was therefore every reason which freemen could desire, for realising, on the present occasion, all those exalted sensibilities which the possession of English liberty was so eminently calculated to excite. He urged them to union and perseverance, from the inestimable value and importance of the great and venerable object which brought them, and, he trusted, would always keep them together. He applauded the generous spirit, unanimity, and temper which pervaded the assembly. The satisfaction they discovered, sufficiently, in his opinion, justified an establishment, so conducive to good fellowship, and the most friendly association, in the best of all good causes. He wished they might often meet on the same occasion, with the same views, the same principles, and in the same dispositions. It was, as it struck

struck him, by such meetings and associations in behalf of the public good, that the love of our country, and of human nature, was inspired, propagated, and brought into fashion. He uttered it as the warmest and most ardent desire of his heart, that with all their other enjoyments, they might still enjoy liberty, and liberty above all things.

Mr. Fox now seeing the company in a listening humour, thought it no improper opportunity of addressing them. He frankly owned he should always be happy of giving the fullest and most satisfactory explanation of his public and parliamentary conduct, even to the meanest of his constituents. But he was still more proud to do it when expected of him from so large and respectable a body of electors as were then present. He congratulated himself, and the cause of freedom, on the very crowded and agreeable company convened on this occasion. This he had to construe in a pretty general approbation of the services he had done, as far as he could, to his country. A circumstance at this time the more satisfactory and flattering, from the infinite pains that were daily and foully taken to blacken and traduce him in the eyes of the world. He was aware of the many gross and detestable libels to which he was subjected in the newspapers, and elsewhere. These were the less excusable, that they had but seldom any foundation in truth. They were such as certainly did not merit any serious or formal refutation. As some weak minds, however, might probably give them more credit than they deserved, he would just give them a short and distinct consideration.

The charges that had been preferred against him, he thought might be reduced to three general ones. In exposing the absurdity of each, he should have an opportunity of

giving, to a very genteel and goodly number of his constituents, an account of that important delegation with which they had intrusted him. They only were competent judges of his public behaviour, either with or without office: And with their approbation, and that of his own mind, he was not greatly troubled or apprehensive about the censures, calumnies, and invectives of any, or all of mankind.

I. One of the most furious and most unaccountable accusations urged against him was, that he was not serious in accomplishing an equal representation of the people. How this was found out, or on what grounds it had been established, or obtained the least credit, was to him the more astonishing, that till it had been publicly reported, he had not himself so much as once suspected it. But this was not the only instance in which his enemies understood him better than he did himself. It was rather odd, however, that those not the most notorious for sincerity themselves, will allow it in nobody else. One would imagine from their being so difficult to please on the subject, that they had a large share of this virtue in their own possession. The sincerity of this profession at least had never been so much called in question as since the existence of the present administration, which was by no means the most remarkably open and candid. He was obliged to those however, who made him so much their study as to find in him vices of which he was not himself conscious, as it would certainly tend to keep him more than ever on his guard, that his tongue and his heart might never be at variance. But if really blameable in this respect, it was impossible for him once to be blameless, as he never could exert himself with more fervour and earnestness in behalf of any measure than he had done for an equal representation



sentation of the people. The mode of it in present practice he had long lamented. It did not suit the genius of the constitution. It was inimical to the rights of individuals. It opened a thousand sources of corruption. It gave the lie to that noble institution of our forefathers, by which every Englishman was meant to have a voice in the legislature of his country. These reasons operating on his mind, and on the minds of many of the greatest and best men in this country, whom he had the honour to rank among his friends, first suggested the idea of a reform in this great national particular. And was he ever backward or reluctant in bringing it forward? Did he ever cool in the business, or treat it in public or private with ridicule and disrespect? When the question was agitated in the House of Commons, had he not the honour of speaking on it? It was well known, that amiable and worthy friend of his, Mr. Burke, was of a different opinion from him on this article; and that the then Secretary at War had a strong antipathy to this measure. All that could be done by such as joined him in wishing it success, was to get these gentlemen to withhold their opposition. This step, which considering the abilities and influence especially of one of them, was of the greatest consequence, he had the pleasure to accomplish. But against all these proofs of his attention and attachment to this popular requisition, a few of his oldest friends had done him the injustice to suspect his integrity so much, as to have withdrawn their countenance on the present occasion: At least among a great many new faces that presented themselves, and a still greater number of those familiar to him, he could not help observing one or two missing, who had formerly appeared as not the

least happy on the present anniversary. These he was told had carried their antipathy so far, as to erect themselves into a new society, under the specious appellation of the *Firm and Free*. But these words, like every thing of an extraordinary kind, were not to be understood in their common acceptation. This was indeed a club of a most curious description, and put him in mind of those singular and secret institutions, which in a former century, and perhaps under the direction of a similar principle, were formed to load every deviation from ignorance and bigotry with the heaviest imputations. It had surely, in one instance, operated on language with a sort of magical influence, as the title it assumed conveyed an idea, which the terms were not conceived or described to possess in any of our dictionaries. By *Firm* was evidently meant, a desertion of principle and a treachery to friends; and by *Free*, the faculty or privilege of acting without any regard to the claims of friendship, the influence of truth, or the dictates of honour. Notwithstanding the novelty of this club, he was glad to see such a respectable company of the free and independent electors of the city of Westminster, as were there and then assembled. The meeting was even more numerous than before. It was one of the many noble instances in which his countrymen delighted to shew the generosity of their nature. While a Minister, the countenance of his Royal Master, the power and wealth of place, and all the usual appendages of court favour and distinction, might render him less dependent on their liberality and assistance; but now that he was oppressed and persecuted, they came generously forward to countenance and encourage him; and he could only assure them, that

no

no language of his could do justice to the gratitude he felt on this occasion.

II. The second topic which furnished his enemies with argument and sarcasm against his political conduct, was a bill of Lord Mahon's, relating to the present mode of carrying on elections. His opposition to this bill had raised him, it was said, a great many enemies, and given universal offence: but his heart would not suffer him to think so meanly of the understanding of his countrymen, as to suppose they would allow of no latitude of thinking to any but themselves. That bill might suit the views of many individuals; but it had uniformly struck him as miserably calculated for bringing about the object to which it was professedly confined. He did not stand alone in opposing its progress: nor had he any other views to answer by doing it, than that he deemed himself, as a member of parliament, bound to admit of no measure which, to the best of his judgment, was a wrong one. His conduct on that occasion proceeded solely from this conviction. He was sorry to differ from any of his countrymen on any political question whatever; but he begged they would allow him the same liberty which, in a similar case, he would refuse to none upon earth. But if this bill was calculated to do any good, he was certain the emendation for which he contended did by no means destroy it. The friends of the bill, however, thought otherwise, and withdrew it in a hurry. Many of the first characters in the kingdom thought concerning it as he did, and some of the ablest speakers in the House treated the contents of it with much less ceremony than he did. He conceived it from the first as peculiarly derogatory to the electors of Great Britain; and he thought the constitution of this coun-

try much more nearly connected with their consequence than was generally believed. It was a violation of forms which custom had long rendered venerable: and the hereditary habits of no free people could, in his opinion, be innocently tampered with. It established by much too great a distance between the people and their delegates. It made them too independent to have any degree of influence on each other. Besides, the greatest order does not always result from the greatest multitude of regulations. On these, and a variety of similar grounds, he did not think himself at liberty to countenance Lord Mahon's bill. He thought, also, the glorious cause of freedom could never suffer by any degree of liberality and independence of mind, which he, or any of his friends, might occasionally indulge. It was a strange mode of reasoning to alledge, that they could honour it, by dishonouring themselves. And it was itself too just, too consonant to the feelings of mankind, to need any assistance from any thing not allied to it in reality as well as in appearance.

III. His opinion of the Middlesex election, was another strong objection recently brought forward to lessen him and his services in the public estimation. But he had not certainly adopted any new ideas on this subject from what he always avowed. Were not these sufficiently known, when he became a Candidate for the City of Westminster? Had he deserted a single article since, to which he then professed an attachment. Would any man stand forth, and affirm that his political principles were accommodated to his own interest, or that of his friends, to the reigning maxims of the times, or to any Minister that would buy them at the highest price? He had a right to challenge an enquiry of this kind, as the best refutation of those who

who could only condemn him for that, to which he had ever pleaded guilty. He would not however pretend to 'sav, how they could reconcile it with consistency of character, who now reprobated him for that which he honestly avowed when they honoured him with their suffrage. Men's minds were now so very changeable; that he knew of nothing but the very obsolete thing called virtue or principle, that could possibly stay them. And this was of late as much out of fashion, as honesty was out of countenance. It was no longer the mode of the times; to make uniformity in principle the high road to preferment. The Lord Advocate of Scotland was the likeliest man in the world to suit the political taste of those whose notorious apostacy had extorted from him these reflections. His Lordship had not given the most abundant proofs of his value for whig principles. Therefore it was, that the present Ministry did not persecute and oppress him. From this instance it was pretty evident, the man who could insult the people of England most, would always be most successful at court. But he thought there was a material difference between a desertion of the people's interest, and a trivial departure from their sentiments, on a point of the nicest political speculation. He thought now on the Middlesex election, as he had always done, and would probably do to the day of his death. It was the result of mature consideration, and the settled conviction, as he thought, of an impartial mind.—And if it was wrong to differ in this from his constituents, he should always deem it his misfortune, but could never consider it as a crime. Even in this case he should still think himself intitled to the rights of a free judgment. If his constituents thought themselves aggrieved by his refusing to relinquish what appeared to him by much the most valuable franchise of his life,

their remedy was at hand. If they could not controul his convictions, they could certainly withhold their suffrages. And if for this, or any other of his political opinions, they desired him to relinquish his situation, he would certainly do it. It was the reigning ambition of his life to serve them faithfully; but their service was no longer an object to him than he could retain it with utility to them, and with honour to himself. It was the law of Parliament, that the acceptance of a place by any of its members should vacate his seat. The view of the constitution on this particular was, that his constituents might have an opportunity of rejecting him, on supposition they suspected their interest might suffer from the change of his circumstances. This ordeal he underwent on his going into office, and had the honour to be generously returned. But there was no such provision for the relinquishment, as for the acceptance of place or power; and this he deemed no less wise, though perhaps, in his own particular case, he might have wished it was otherwise; that by another election he might have been able to collect the sentiments of his constituents on the motives and expediency of his retirement; and if notwithstanding all he had said and done to apologize to them, they still were inclined on the whole to blame him; there was one place, even the Chiltern Hundreds, which he would accept under the present Administration, and by this means give them an opportunity of deciding in the most public and unequivocal manner on his conduct. Whether in or out of Parliament, he was solicitous to do all the justice and honour in his power to their partiality for him. He regarded their approbation as one of the highest distinctions to which it was possible for him to aspire. But it did not strike him as the most effectual method of securing theirs,

to relinquish the freedom of his own mind. Against the common imbecilities of humanity, he affected not to be in possession of any antidote whatever. To errors, and even eccentricities of opinions, he was certainly as liable as any man; but the purity of his intentions, and the independence of his mind, were rights which he was determined to preserve at all hazards, which he would not yield to the humour or solicitude of his best friends, of all the electors in Great Britain, of a majority of the whole world, which he would not part with but with his life.

The following Noblemen and Gentlemen were appointed Stewards at the Shakespear, for the next annual celebration of the election of Mr. Fox for Westminster:—Lord Edw. Bentinck, Mr. Edward Moore, Lord Frederick Cavendish, Mr. George Boulton, Sir Cecil Wray, Bart. Mr. Austin, Captain Hume, Mr. Owen, Mr. Richard Burke, Mr. Lyon, Mr. Hare, Mr. Bulmer, Mr. Hartley, Mr. Alderman Burnell, Mr. Thomas Scott, Mr. Sturtch, Mr. Beresford.

The last toast given at the Shakespear meeting by Mr. Fox, was, Mr. Windham, Sir Harbord Harbord, and the Independent Electors of the City of Norwich.

*From the LONDON GAZETTE.*

By the KING,

# A PROCLAMATION. GEORGE R.

Whereas our Parliament stands prorogued to Thursday the tenth day of this instant October: We, with the advice of Our Privy Council, do hereby publish and declare, that the said Parliament shall be further prorogued on the said tenth day of this instant October, to Tuesday the twenty-sixth day of November next; and we have given orders to Our Chancellor of Great Britain to

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prepare a commission for proroguing the same accordingly: and We do hereby declare Our Royal will and pleasure, that the said Parliament shall, on the said twenty-sixth day of November next, be held for the dispatch of divers weighty and important affairs. And the Lords Spiritual and Temporal, and the Knights, Citizens, and Burgeses, and the Commissioners for Shires and Burghs, of the House of Commons, are hereby required to give attendance accordingly at Westminster on the said twenty-sixth day of November next. Given at Our Court at St. James's, the fourth day of October, one thousand seven hundred and eighty two, in the twenty-second year of our reign.

God save the KING.

At the Court at St. James's, the 2d of October, 1782,

Present, the King's Most Excellent Majesty in Council.

This day the Right Honourable Charles Earl of Tankerville was, by his Majesty's command, sworn of his Majesty's most honourable Privy Council, and took his place at the board accordingly.

*St. James's, October 3.*

A Chapter of the most noble Order of the Garter having been summoned to meet this day, the Knights Companions, with the Officers of the Order hereafter mentioned, all in their mantles, attended the Sovereign; and being called over by Garter King of Arms, a procession was made from the King's Closet to the Great Council-chamber, in the following order:

Duke of Grafton,  
Duke of Marlborough,  
Duke of Northumberland,  
His Royal Highness the Duke of Cumberland,  
His Royal Highness the Prince of Wales.  
Black Rod—The Register—Garter.  
The Prelate.  
The SOVEREIGN.

Qq

The

The Sovereign and Knights Companions being seated, the Sovereign was acquainted that the Bishop of Salisbury attended at the door, and humbly prayed to be admitted to take the oath of the office of Chancellor of that honourable order. Then the Bishop in his mantle being introduced by the Sovereign's command between Garter and Black Rod, the latter carrying on a cushion the purse, gold chain, and badge, he was duly sworn, and invested with the ensigns of the order, and the purse was delivered to him; by the Sovereign, when, having kissed his Majesty's hand, he withdrew to his place.

The Chancellor then signified his Majesty's pleasure for filling up the vacant stall; and as by statutes none but a Knight can be elected, his Grace the Duke of Rutland was conducted by Garter and Black Rod to the Sovereign, and knighted with the Sword of State.

The Chapter then proceeding to the election, Charles Duke of Rutland was declared duly elected; whereupon being received at the door by the two junior Knights Companions, and preceded by Garter, bearing the ensigns on a cushion, and Black Rod, he was conducted to the Sovereign, and invested with the Garter, Ribbon, and George, by two senior Knights, the Chancellor pronouncing the usual admonitions; and his Grace having kissed his Majesty's hand, and severally saluted the Knights Companions present, withdrew.

Garter then calling over the Knights, a procession was made back to the King's Closet, in the same order it came from thence, excepting that the Chancellor walked in his place on the left hand of the Prelate.

*From the LONDON GAZETTE.*

*Whitehall, October 8.*

The King has been pleased to appoint George Rogers, Esq. to be

one of the Commissioners in quality of a principal Officer of his Majesty's Navy, in the room of Timothy Brett, Esq.

The King has been pleased to order Letters Patent to be passed under the Great Seal of the kingdom of Ireland, containing his Majesty's grants of the dignity of a Baronet of that kingdom to the following Gentlemen, and the respective heirs male of their bodies lawfully begotten, viz.

Sir Boyle Roche, of Permoy in the county of Corke, Knight;

Richard Musgrave, of Turin in the county of Waterford, Esq. with remainder to Christopher Musgrave, Esq. his father, and the heirs male of his body lawfully begotten;

Nicholas Nugent, of Dysert in the county of Westmeath, Esq. late of his Majesty's first regiment of Foot Guards;—and

Francis Hutchinson, of the county of Wicklow, Esq. with remainders to James Hutchinson, Esq. his brother, and Samuel Synge, Esq. his nephew, and the respective heirs male of their bodies lawfully begotten.

*Edinburgh, Oct. 3.* Yesterday at a meeting of the Antiquaries of Scotland, George Keith Marischall, Esq. being introduced by William Charles Little, Esq. of Libberton, was admitted an honorary member of that society, upon which occasion he was addressed by the Right Hon. the Earl of Buchan from the chair as follows:

“ Mr. Keith Marischall,

“ The Society of the Antiquaries of Scotland have departed, this night, from an established rule, by admitting you to be present at this meeting; and I think it honourable to the chair, and to me, who have the honour to sit in it, to have moved for your admission. It is one of the chief objects of this venerable institution

tution to bring to light, and to illustrate the decaying monuments of Scottish honour and magnificence, which consist not in the immensity of temples, aqueducts, and amphitheatres, but in the annals of a brave and inexpugnable nation, and in the memory of her illustrious citizens. In you, Sir, we have lately seen revived the representation of a family possessed of one of the greatest hereditary offices in Scotland, and which has furnished heroes, patriots, and many worthy citizens of this state and nation. I do, therefore, in the name of this society, congratulate you on the extraordinary proof of your descent, lately exhibited and confirmed, and express their wish that you may procure the honourable possession of the titles connected with your illustrious descent."

To which Mr. Keith Marischall made the following answer:

"My Lord President,

"I desire, in the most respectful manner, to return to this society, and to your Lordship, my sincere and humble thanks, for the great honour you have been pleased to confer upon me: I am truly sensible that I owe this distinction to no personal merit of mine, but to the noble and generous regard which the venerable Society of Antiquaries of Scotland pay to the neglected cause of their native country, and to every circumstance that can tend to illustrate its former splendour, as a free and independent kingdom."

From the LONDON GAZETTE, Oct.  
12, 1782.

St. James's, October 9.

The following intelligence was this day received from Busjora, dated August 6, 1782.

By accounts from Madras to the 13th of April we have the agreeable news of the safe arrival of his Majesty's ships the Sultan and Mag-

namine, with all their convoy, on the 31st of March; and that the French fleet had left the Coromandel coast.

Admiralty-Office, Oct. 12, 1782.

Copy of a letter from Lieutenant JAMES HILL, commanding his Majesty's cutter *Musine*, to Mr. STEPHENS, dated Spithead, Oct. 11, 1782.

Please to acquaint my Lords Commissioners of the Admiralty, that on the 6th instant, at five A. M. the Gasketts bearing S. W. by W. about two leagues, I fell in with and took, after a short chase, the Count de Valentinois, a French lugger, Captain Le Dos, mounting two three-pounders, and eight swivels; thirty-one men. She sailed from Cherburgh the evening before, and had taken nothing.

Petersburgh, Sept. 3. A fresh act of her Imperial Majesty's clemency and benevolence appeared last Tuesday (in commemoration of her illustrious ancestor Peter the Great) by the publication of an Ukase, or Imperial Edict, wherein all persons indebted to the Crown, in a sum not exceeding five hundred roubles, are forgiven; all law suits with the Crown, which have lasted above ten years, are suspended; and prisoners for all inferior crimes released.

Constantinople, Sept. 6. On the evening of the 26th of August, the deposed Grand Vizir was sent into exile to Demotica, nigh Adrianople: His successor, Jeien Mehemmet, has entered into that important office with great applause, and bids fair to quell the fermentation and discontent of the populace. It now appears that the late conflagrations have actually demolished about two thirds of the city.

Stockholm, Sept. 10. Last Thursday the ceremony of the baptism of his Royal Highness the Duke of Smalande was performed, in the Royal Chapel of the Court, with all possible splendour; the sponsors being the

the Kings of Prussia and Denmark, the Empress of Russia, and her Most Christian Majesty and the King of Sweden's brothers and sisters. His Royal Highness is named Charles Gustavus.

*Berlin, Sept. 14.* The King came to this capital on Thursday morning, and the next day reviewed the regiments of artillery belonging to this garrison. His Majesty appeared to be in perfect health and spirits.

*From the MADRID GAZETTE.*

*Madrid, Sept. 24.* On the 13th inst. the floating batteries being in every respect ready, and the wind favourable for their taking their stations opposite the New and Old Moles, and the encampment at Europa Point, they began to get under weigh about seven in the morning, to proceed to those places; the Pastora, of 24 guns, commanded by Don B. Moreno, leading the van; and the Tallapiedra, of 23 guns, under the command of the Prince of Nassau, following. Though a constant and heavy fire from all the enemy's batteries, which were more numerous than we imagined, was kept up for a considerable time upon those two vessels alone, they nevertheless got themselves moored in four one-half fathom water, at about 140 toises from the garrison, and immediately returned the enemy's fire with great spirit. The rest of the floating-batteries, as under-mentioned, viz. Paula, 23 guns; Rosario, 21; St. Christopher, 19; Prince Charles, 10; St. John 9; Paula (2d) 9; St. Ann, 9; Doloras, 7; proceeded successively to their different stations; and as they moored began to fire also, with the utmost vivacity and good effect, against the garrison and fortification, whilst our lines and advanced batteries on shore supported them, with a view of dividing the enemy's attention.

It was intended that several divisions of gun and mortar boats should

proceed, so as to flank the garrison along the front, and to direct their fire to such particular spots as might seem proper, in order that the troops (especially those employed on the batteries) might receive all the annoyance possible; but this measure, so necessary and proper on the occasion, could not possibly be carried into execution on account of the rise of the wind and sea. Other material obstacles also occurred to prevent the sending of ships, as had been formerly done, to make a diversion towards Europa-Point. Hence all the enemy's batteries that were exposed to our fire from the land were employed uninterruptedly against the floating batteries, into which shells, and round and grape shot were fired without number, besides red hot balls, 42 pounders,

Though the fire was returned on our part without intermission, doing great damage; yet the continual discharge of red hot balls kept up by the enemy was such as rendered all the precautions taken in the construction of the floating batteries of no effect, for the balls by lodging in their sides necessarily spread the fire throughout. This was found to be the case repeatedly during the day, when the fire was as frequently kept under; but a continuation of the same inconvenience rendering it impossible at length to work either the floating batteries or gun and mortar boats, and the night approaching apace, the floating battery commanded by the Prince of Nassau took fire afresh, and began to burn with such violence as made it impossible to save her; and shortly after that under Don B. Moreno was in the same condition.

In this perilous situation, and the impossibility there was of either using sails or oars, it was judged advisable to withdraw the people, and to bring away or spill the powder, that the batteries might not be blown up but let burn, so as to be rendered

rendered unserviceable to the enemy. All the other batteries began to be nearly in the same situation, as the two above-mentioned; rather worse indeed, as the enemy's fire, now without opposition, was directed to point blank objects.

The two commanders in chief by land and sea, the Duke de Crillon, and Don Lewis de Cordova, having been informed of the above particulars, gave immediate direction for sending all the boats and other small craft that could be collected for the relief of the people in the floating batteries; during which brilliant, though hazardous attempt, the greatest proofs of valour were shown, in the contempt paid to the enemy's dreadful fire of grape shot, which the clearness of the night enabled them to direct to a certainty.

The greatest part of the people however were brought off, and the fire in several of the floating batteries, &c. spread as much as possible, that they might be immediately consumed; and a sufficient quantity of powder was left in the others that they might at a seasonable time be blown up. Notwithstanding the utmost zeal and activity on our part, in the performance of these various services, the enemy sunk several of the small craft; though many of the people employed in them either saved themselves by swimming, or were taken up by other boats.

As soon as the enemy found the fire from the floating batteries was totally silenced, they sent off several of their gun and other armed boats, with which they took some of our's going and coming, making prisoners of all the troops that remained in the floating batteries to be relieved; so that by daybreak next morning they had 335 of our people in their possession, including many wounded, who, we are informed, are treated with the greatest tenderness and humanity by General Elliot.

The floating batteries blew up one after the other, except three, which burnt to the water's edge.

In consequence of the enemy's incessant fire all day and night, as well against the floating batteries and their crews, as the great number of craft employed in taking up the people, we sustained the loss specified in the following list accompanying this narrative, which we cannot conclude without observing, that in the accounts given by the commander in chief, as well as in all the private letters, the greatest praise is on every individual employed in the attack and subsequent operations.

The enemy's loss, considering the length of the action, must be very great, but this cannot be particularly ascertained.

On the 14th, nothing particularly occurred, except that our fire continued from the land without the garrison returning it.

The following is the total loss of Spanish troops and navy, and of the French troops:

**SPANISH TROOPS.** Officers: 1 killed, 4 dangerously wounded, 8 slightly ditto, and 6 missing.

Rank and file, 37 killed, 94 dangerously wounded, 85 slightly ditto, 189 prisoners, and 86 missing.

**SPANISH NAVY.** Officers: 3 killed, 6 dangerously wounded, 7 slightly ditto, 12 prisoners, and 2 missing.

Seamen and marines, 80 prisoners.

Loss of the Spaniards, 41 killed, 104 dangerously wounded, 100 slightly ditto, 281 prisoners, and 94 missing.

**FRENCH TROOPS.** Officers: 3 killed, 1 dangerously wounded.

Rank and file, 42 killed, 33 dangerously wounded, 11 slightly ditto, and 11 missing.

Loss of the French, 45 killed, 34 dangerously wounded, 11 slightly ditto, and 11 missing.

General total, 86 killed, 138 dangerously



gerously wounded, 111 slightly ditto, 292 prisoners, and 105 missing.

*The following is the copy of an Address from the Body of Merchants in the island of Barbados, to SAMUEL ESTWICK, Esq. the Agent for that island, in consequence of his conduct upon the occasion alluded to in that Address; and for which see the Remembrancer for January 1782, No. 181.*

SIR,

Having had the honour of being appointed by the merchants of this island to acknowledge the receipt of your obliging address of the 20th of last December, and the very satisfactory public paper it conveyed, I beg leave to express both my own, and the sentiments of the body I represent, in hoping that no impression has been yet made, by the delay of this essential duty, unfavourable to the professions of gratitude I now offer, for the warm and affectionate attachment, as well as the generous public spirit, which first sought redress to the injured honour of this country; and for the zeal and ability since displayed, in not wiping away the infamy of an ill-founded charge, but in affording the triumph of beholding the accuser involved in the disgrace of an unsupported impeachment.

The minutes of the Assembly of our island afford too many and too strong testimonies of the full employment of your valuable time, either to doubt the impropriety of a long trespass upon it; or to allow an indulgence in such an attempt; I hope, therefore, that in adding my own tribute of applause to the admiration of your country, I may be excused for the momentary detention, while I wish that your anxious and zealous endeavours in the public cause, may be speedily crowned with success, and that you, with the abused inhabitants of this colony,

may soon enjoy the patriotic satisfaction of beholding it freed from the very grievous calamity of General Cuninghame's oppression.

Mr. Robert Ewing, a worthy member of our Commercial Society, will have the honour of delivering you this letter.

I am, SIR,

Your most obedient,  
And very humble servant,  
VALENTINE JONES.

*Barbados, 4th June. 1782.*

*To Samuel Estwick, Esq. Agent for the Island of Barbados, London.*

*Extracts from the Barbados Mercurius. Bridg-Town, June 15, 1782.*

"Our days with happier minutes smile,  
"And the sun shines with double lustre."

On Wednesday last arrived a packet from Falmouth, which, among other articles of intelligence, brought us the most agreeable news that ever reached this country, viz. That his most gracious Majesty had been pleased, through the intercession of the present Ministry (who, as soon as they came into administration, turned their thoughts towards relieving the distresses of all his Majesty's subjects, but more immediately to those of this ancient and loyal colony) to attend to the petitions which had been laid before him by our agent, and, in the most ample manner, had granted the prayer thereof, and, in a way too, the most satisfactory to the inhabitants.

Let us therefore so conduct ourselves on this important occasion, as to prove we are worthy of the favour, and thereby convince the world, that the malevolent aspersions that have been so repeatedly cast upon us, under a late administration, were false; and that we are determined to be guided by that prudence and loyalty, for which we have always been famed.

We momentarily expect to hear the agreeable

agreeable news of the Hon. John Dorin, Esq. being sworn in as commander in chief of this island, a gentleman under whose mild and upright government we were formerly happy.

To the PUBLIC.

June 15th.

At a meeting yesterday of many of the inhabitants of Bridge-town, it was agreed, that all persons who have paid any fees to the Governor or his clerk, or any other person for his use, that have not been usually taken or received by former Governors, or Commanders in Chief; should be earnestly requested to send in accounts of them, properly attested, to the subscribers, appointed to receive the same; so that proper measures should be fallen upon for the recovery of them, and reparation sought by the injured. It is therefore notified to the public, that any person choosing to give in an account of such monies as they have paid to the Governor, or any person for his use, will be received by

SAMUEL MOORE,

JOSEPH MAYRES.

Bridge-Town, June 22, 1782.

"Let there be no more mourning in our  
"land."

His Majesty having been most graciously pleased to recall his Excellency Major-General James Cuninghame from this Government, and also to order him to appear and give an account of his administration, which has been so very oppressive to the inhabitants of this ancient and loyal colony, his Excellency quitted the Government-house on Tuesday evening last, and retired on board the packet lying at anchor in Carlisle Bay \*, and on Wednesday, about twelve o'clock, the Hon John Dorin, Esq. was sworn in as President and Commander in Chief. Under this gentleman we hope once more to be happy; and

\* He did not sail till Thursday night.

that during his administration we shall be united in the common cause, viz. the happiness of the people, and the preservation of the island.

*Extract of the Minutes of Council, on  
Wednesday the 19th day of June,  
1782.*

Then his honour the President took this first opportunity to declare to the Council Board, that he did not mean, nor would he take the fees, or any of them, which had been demanded and received by his late Excellency, agreeable to tables of fees hung up in the different offices for the purpose; nor would he receive any fees whatsoever: And his Honour gave directions, that the said table of fees be immediately taken down; and on motion of the Hon. William Bishop, Esq. seconded by the Hon. Mr. Braithwaite; the above declaration of the President was ordered to be published in the next Mercury. A true extract,

FRANCIS WORRMAN,

Deputy Clerk of the Council.

BARBADOS.

*Extract from the Journals of the House  
of Assembly at Barbados.*

At a meeting of the General Assembly at the Town-Hall, on Tuesday the 2d day of July, 1782, pursuant to summonses issued by the direction of his honour the President, Mr. Frere rose, and with an introductory speech moved, That an humble address be presented to the Sovereign, to return his Majesty the most grateful thanks of the house, for having been graciously pleased to remove Major-General James Cuninghame from the administration of this Government, and to congratulate with his Majesty on the signal and important successes of his Majesty's naval forces in these seas.

The motion being seconded by Mr. Jones, was unanimously agreed to.

Where-

Whereupon Mr. Frere presented an address, and moved, that it might be read, and passed the House; and being seconded by Mr. Jones, the same was accordingly read, passed unanimously, signed by Mr. Speaker, and ordered to be entered on the journals, and transmitted by Mr. Speaker to the agent, to be by him presented in the usual form.

On the motion of Mr. Alleyne, seconded by Mr. Straker, the House came unanimously to the following resolution, viz.

Resolved, That the thanks of this House be transmitted by the Speaker to the Right Hon. the Earl of Shelburne, one of his Majesty's Principal Secretaries of State, for his active zeal and ready execution of his Majesty's gracious pleasure in the recall of Major General Cuninghame from the Government of this island, by which our country has been most happily released from an arbitrary and oppressive system of taxation established by that officer for his own emolument; and this Assembly, no less joyfully restored to the accustomed exercise of their constitutional powers, which by frequent and vexatious adjournments had been withheld from that Governor, on no pretence whatever of the public good, and for thirteen weeks successively, to the apparent injury of the most distressed objects of the community; and to express the satisfaction of this Assembly, in the fond hope entertained by them, that the next object of his Majesty's appointment, as a successor to General Cuninghame, will be a gentleman possessed of principles and dispositions, answerable to those wise and virtuous Councils, which are at this time diffusing confidence and content through every corner of his Majesty's dominions.

On the motion of Mr. Frere, seconded by Judge Gittens, the House

unanimously came to the following resolution, viz.

Resolved, That the thanks of this House be transmitted to Samuel Estwick, Esq. for the zeal and activity which he manifested for the service of his country, by his patriotic exertions in promoting the removal of Major-General James Cuninghame from the Administration of this Government.

*Letter from NATHANIEL BAYLEY, Esq. to WILLIAM MIDDLETON, Esq. High Sheriff of the county of Suffolk.*

*Epsom, Surrey, Sept. 26a*

" SIR,

" After returning you many thanks for the trouble you are taking to procure an adequate subscription in the county of Suffolk, for the laudable purpose of adding a ship of the line to the navy of Great Britain, give me leave to beg that you will subscribe one hundred guineas thereto for me. Having no estate or interest in your county, (more than in common with every Englishman who may think, as I do, himself deeply interested in every place and part of the British empire) is the reason that I did not offer you my mite sooner; but hearing that the subscription is not yet completed, and hoping, that in so liberal a nation there may be many persons disposed to contribute in the same manner, without regard to local interest, particularly in London, and other great cities, who have been remarkable for their liberality; so that I doubt not, if these subscriptions are set on foot, they will meet with the greatest encouragement; for I assure you, Sir, and hereby pledge myself, to give the same sums, not only to the twelve counties you have promised, but to every other county and city in which subscriptions shall be set open for the like

like good purpose throughout our three kingdoms.

"As I have not the honour of your acquaintance, you may not know so insignificant an individual, therefore I take the liberty of mentioning, that I am the person who had the happiness to break some of the shameful contracts which the late Ministry had entered into; particularly that of rum, which I offered in the House of Commons to undertake at half price, by which I flatter myself some thousand pounds have been since got to the nation; and much more might have been saved, had Ministers before learnt the difference between currency and sterling, which is forty per cent.

"I have the honour to be, with the greatest respect, Sir, your most obedient servant,

"NATHANIEL BAYLEY."

To William Middleton, Esq.

*Copy of the Answer of WILLIAM MIDDLETON, Esq. High Sheriff of the County of Suffolk, to the Letter of NATHANIEL BAYLEY, Esq. dated September 26.*

SIR,

The favour of your letter is just come to hand, and think there cannot be a properer instant to acknowledge the receipt of it. The sacred flame of patriotism which it has infused in my breast, I hope will not leave it but with my breath. I would to God every individual felt it equally with you; this country would then soon rise to her wonted pre-eminence, notwithstanding the efforts of our numerous European enemies to depress her, though perhaps not to that pinnacle of glory she was at during her constitutional connection with America. Such names as your's, Sir, above all others, I wish to see in the Suffolk list; I do not mean in respect to the sum, which is liberal, but the generous and patriotic manner in which it is given. The names of such real friends to their country

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is the best answer that can be given to all the objections that are made to so truly beneficial and national an undertaking, as that of the county of Suffolk.

I well remember the check you put to the corrupt influence of the North Administration, for it is to that, rather than such unaccountable ignorance, that I attribute the shameful rum contract.

I am, with much esteem,

SIR,

Your obedient humble servant,

WILLIAM MIDDLETON.

*Copy of a Letter wrote by Mr. de St. LAMBERT, to the Minister of the Marine of France.*

Sus, in Lower Normandy, June 7, 1782.

MY LORD,

Deeply affected at the check which our naval force has met with, in America, and zealous of seeing our arms resume that superiority which the French nation always ought to have, I beg, my Lord, you will offer to the King one half of the pension which his Majesty granted me as a reward for my services. That sum, small as it is, is a sacrifice on my part.

May my example excite, in the hearts of all Frenchmen, the strongest spirit of patriotism! May all the orders of the State second the benevolent views of our Monarch, who wishes to preserve to his people the sweets and advantages of peace, in the midst of a most expensive war!

I am, with profound respect,

My Lord,

Your most humble,

and most obedient servant,

ST. LAMBERT,

Knt. of St. Louis, Capt. of Infantry.

*Copy of the Answer of M. DE CASTRIES:*

Verjailles, June 24.

I have received, Sir, the letter you took the trouble to write to me,

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to

to acquaint me with your intention to offer the half of your pension to contribute to the building of our marine. His Majesty having determined to refuse the gifts of individuals, I can do no more than give him an account of your zeal, and the sentiments that animate you for his glory; and I think I may be beforehand to assure you of his favour.

I am most perfectly, Sir,  
Your most humble and  
Most obedient servant,

(Signed) . CASTRIES.

At a meeting of the corps of Independent Dublin Volunteers (commanded by Lieutenant General Henry Grattan) held at the Royal-Exchange, in Dublin, October 2, 1782.

The following resolutions were passed, viz.

Resolved, That Irishmen, armed for the defence of their liberties and constitution, ought naturally to be attached to every country, or body of men, who arm and struggle in the same glorious cause.

Resolved therefore, That the virtuous Genevans are entitled to our warmest commiseration, and that we will receive those amongst them as brothers and friends, who shall prefer Ireland for a place of refuge.

Signed, by order,

JAMES WHELESTONE, Sec.

*Parliamentary Enquiry into the official Conduct of the Honourable RICHARD POWER, Second Baron of his Majesty's Court of Exchequer in Ireland, and the Crown Judge, at the late Assizes of Monaghan.*

COUNTY of MONAGHAN.

At a meeting of the Grand Jury of said county, at Summer Assizes, one thousand seven hundred and eighty-two,

Resolved, That in our collective capacity, we hold ourselves entitled to respect from the Judges of Assize,

and that, while we act with propriety, we conceive our opinion to be warranted by the constitution.

Resolved, That the Honourable Richard Power, second Baron of his Majesty's Court of Exchequer, and the Crown Judge at the present assizes of Monaghan, has not only failed in this respect, which we apprehend to be our due, but has also deviated, in our opinion, into an excess of oppression, by the ignominious committal of James Hamilton, Esq. (a magistrate who has acted, throughout a period of twenty years, with honour to himself and advantage to the public, and a member of our body, then in actual deliberation on the business of our county) to the common gaol.

Resolved, That as we have found, upon minute inquiry, that the crime marked by such heavy punishment, was an hasty act of office, in signing a mittimus against a prisoner, who was brought before him in custody, and against whom bills of indictment had been found for robbing in the county of Armagh, without previous application to the Crown Judge for permission so to act; and in as much as we are convinced, that every proper and submissive apology was offered in atonement for this inattention, we conceive that the said Baron, by the committal of our brother Juror, has violated that respect which should be mutual, between the bench and us, and has stretched out the arm of power unfinished by the law.

Resolved, That our public and private characters, our affection for our suffering brother, but regard to justice, and our reverence for the laws, all summon us on this occasion to seek for redress, and to check, if we may do so legally, such improper proceedings, wherein every distinction seems to have been lost in self gratification.

Resolved therefore, That application be made, immediately, to our town

town and country representatives, requiring them to make these resolutions the subject of parliamentary investigation, in order that, if our complaints shall appear to be well founded, we may thus have an opportunity of laying it before the Throne.

Resolved finally, That the advice of the ablest Council shall be taken upon this business; and that is our common determination to persevere in this pursuit, so long as we can discern a prospect of redress.

Francis Lucas, Charles Powell Leslie, Nicholas Forster, John Ker, Robert Montgomery, William Smyth, Dacre Hamilton, John Coulson, Robert Ker, William Noble, James Goldfrap, Adam Noble, Marcus Casidy, Norman Steel, Mathew Ankerell, Anthony Forster, Samuel Madden, Nathaniel Montgomery, James Cotry, Thomas Singleton, Adam Noble, John James.

*Colonel FLOOD's Speech in the House of Commons of Ireland, on Tuesday the 11th of June, 1782, on the repeal of the Declaratory Law of the 6th of George I.*

Mr. Flood asked the Secretary what the nature and extent of the repeal of the declaratory law of England, with regard to Ireland, was to be; that is to say, whether it was to be barely repealed, or whether the legal principle of right was also to be renounced?—The Secretary said, he believed it was to be a mere repeal, but as the bill had not passed, no judgment or proceedings could be well had upon it, because it might be altered.

A resolution was then read, that passed in the English House of Commons the same day on which the resolution passed, asserting that the Declaratory Law ought to be repealed. The resolution was as follows: "That the interest of the two kingdoms are inseparable, and that their

connection ought to be founded on a solid and permanent basis."

Mr. Flood said that these resolutions were worded exactly alike; and both had a future aspect, so as to denote that something was necessary to be done in both cases; that is to say, that the repeal of the declaratory law was to be attended with some measures to be taken here; for adding to the constitutional connection between the two kingdoms; whereas he thought the connection was at present complete: he added, that throughout the whole debate, ideas of final adjustment and negotiation were talked of. He would therefore propose a resolution, as to the connection of the kingdoms, (as far as the laws of Ireland are concerned) viz. that a solid basis of permanent connection does at present subsist between Great Britain and Ireland, inasmuch as they must by law always have one common Sovereign, and that the approbation of that Sovereign, under the great seal of England, must be had to any bill before it can become law in Ireland. He said, however, that if the Secretary would say for certainty, that no such idea was held, he would withdraw the resolution. The Secretary said he had not at that time any such intention, but could not ascertain any thing on the subject.

Mr. Flood's argument was as follows: Nothing ever was more judicious than the conduct of Great Britain on this occasion. She was so embarrassed abroad, and you were so strong at home, that she could not deny the repeal of the Declaratory Law. Yet it must ever be her wish to retain the principle of it, because it is the principle of power, which no nation has ever relinquished, while it could maintain it. What then has she done? by seeming to yield unconditionally to you, she seized on the generous credulity of your nature, and took full advantage

a change in her own administration. Her first step was bold, in order to strike your imaginations with something, that seemed to be decisive. She resolved that the declaratory law ought to be repealed. She did not say, however, that it ought to be repealed, as having been a false and erroneous declaration of law; far from it. Not a man in the British parliament held such an idea. The very mover and seconder of the resolution said the contrary. I mention them both with honour; I mention the ministry, the parliament, and the people of Great Britain, with all honour. I lament, but cannot blame their sentiment on this subject. They declared the constitutional right of the British parliament to make laws for every part of the empire; one of them said externally; and the other both externally and internally. One said the repeal must be accompanied by a final adjustment; and the other that the law could only be repealed on a principle of compact.

Now this is so far from a renunciation, that it is the very contrary, and a repeal without a renunciation leaves you in effect only where you were. It is a first principle in law, that a declaratory act only declares the law to be what it was before; that is to say, that it only declares, and that it does not alter the law.—What follows? That as making a declaratory act does not alter law, so neither can the mere unmaking alter law. Or in other words it follows, that if a declaratory act is not pronounced to have been an erroneous declaration of law, the bare repeal of it can do no other than leave the law in that state in which the declaratory act did declare it to have been before such declaratory act passed. An enacting statute alters the law when it is made, and consequently when it is repealed it alters the law; that is to say, its enactment makes law, and therefore its repeal un-

makes law. Inconsiderate people confound this idea of an enacting, with that of a declaratory act, and are imposed on to believe that a repeal of a declaratory act unmakes and alters the law, in like manner as the repeal of an enacting statute does; but this is utterly false. The repeal of a declaratory law (unless it contains a renunciation of the principle) is only a repeal of the declaration, and not of the legal principle.—The principle remains behind in full force, unless it be renounced. This is universally true, and it is strengthened in this case by this circumstance. Many acts have been made by the British parliament binding Ireland, some of them before the declaratory law of Geo. I. Now whilst one of these remains, there is an exercise and a proof of the right, stronger by much than the declaratory law. A simple repeal, therefore, of the declaratory law, is no vindication of your legislature. But it is argued that because in your first address you declare that the British parliament has no such right, therefore the repeal joined to this, will be equal to a renunciation by England. But what man in his senses can believe that our renunciation of the British claim can be equal to her own renunciation of it? Or that in any controversy, an assertion of a party in his own favour, is equal to the admission of his antagonist? If Britain renounces it, no other power on earth can pretend to maintain it. But if all the rest of the world were to deny her pretension, yet as long as she maintains it, our rights are vindicated, and our constitution is in danger. Will any man say, that if I ask a thing on a particular principle, that therefore if I obtain it at all, it must follow that I obtain it on my own principle? There is no such inference in law, in logic, or in reason; it would only appear that the two parliaments had agreed in one

One point, that of the bare repeal, but it never would appear, without an express renunciation, that they agreed in the renunciation also; and we know the fact to be, that they do not agree with us in that principle. But to put this argument to a decisive proof, let us suppose that after such a simple repeal, that at a future day the British Parliament should revive the principle, and make a law for us. Suppose that Ireland should remonstrate on this—Suppose she should read that paragraph of her address, and quote the British repeal of the declaratory law, and should argue from both that England had for ever renounced her claim, do you think that England would listen to such an interference, or that any reasoner in Europe would allow the force of the argument? Would she allow you to piece your address to her act of Parliament? If you questioned her declaratory act, would she not question your declaratory address? Would she not appeal to the language held by her own members? Would she not appeal to words upon your journals? Would she not appeal to the silence of her law of repeal, and to your acquiescence under that silence? Would she not say that that was virtually a national relinquishment of any idea of renunciation, so that the principle remained not only unrenounced, but the equity of it impliedly admitted by Ireland, at a moment when she was the ablest to contest it?

But I shall be asked (though the repeal of the declaratory law should be simple and imperfect) whether I think that England will ever revive the claim? I answer I cannot be certain that she will, neither can I be certain that she will not; and I ask in return, whether any man will be surety that she will not; and if any man is weak enough to say that he will be so, I will tell him that

this nation will not be weak enough to accept of his surety (no mortal is adequate to such a business). I add that England either has or has not a possible notion of such a revival; if she has not, she will not quarrel about renouncing it; and if she has, the renunciation is absolutely necessary. I add, that if she does not renounce the claim, she certainly may revive it; but that if she does renounce it, she certainly cannot revive it. Yes, you will say, for she might even repeal an act of renunciation; and to argue every thing fairly, I will admit that in the utmost range of possibility such an outrage is not unimaginable; but what do I infer? Not that I should be the more negligent, but that I ought to be the more careful; that it is my duty to make it impossible if I can; and if I cannot do so, that it is my duty to make it next to impossible. It is absurd to say, because I cannot make a thing physically impracticable, that therefore I should leave it morally easy; but it is good sense to say, that I will make a thing as difficult as I can, though I cannot make it as difficult as I would, and that if I cannot make a thing impossible, I will make it next to impossible.

Indeed, on what principle did we enter into this business? It was not surely on the silly notion of getting the force or the good will of England to act on our side, and against herself in this question. That was impossible. What then was our pursuit? To obtain the utmost security that law could give; certain, that if at such a time of extremity, we did not obtain it, we never should be able to obtain it; we had but an alternative; either to rely on the liberality of England, and then to suffer her declaratory law to remain, as a thing impotent and never to be exercised; or, in a matter of such stupendous consequence, we were to say,



say, that we would not trust the generosity even of Great Britain, but that we would have solid and legal security: the latter is certainly the strongest, and the most rational dependence; but though the former be weaker, it is better than neither. Now, in desiring even the repeal of the declaratory law, you forfeit the liberality of England, because you do not confide in it; and if you do not carry the matter on until you obtain legal security, you in effect relinquish both. That is to say, you do the very worst thing the case is capable of, so that it would be difficult to say whether your attempt was the most glorious, or the conduct of it the most inadequate and disgraceful. But the pride of England will be hurt. I should be sorry for it; either however, her pride is contrasted to our security, or it is not; if it is not, our effectuating our security will not hurt her pride; and if it is contrasted to us, we must chuse one of two things, either to hurt her pride, in order to obtain our security, or to relinquish our security in order not to hurt her pride; but if there be a pride on one side, there is a pride also on the other; if there be a pride of England, there is a pride of Ireland too. Now I ask which ought to give way, for one must, and I answer impartially, that which has the worst foundation. Now which is that? The pride of England in this case, is the pride of wrong, and the pride of usurpation. The pride of Ireland is the pride of right, the pride of justice, the pride of constitution. I will not ask you, after that, which ought to give way; but it is wrong to put this question principally upon pride.—England it is true, has a pride in the matter, but she has what she values more, a principle of power. Ireland too, has a pride in the matter, but she has what she ought to value much more, a principle of permanent security. Now that nation

will be the wisest in this transaction, that sacrifices her least object, to preserve her greatest, and England will do this precisely, if she can prevail on you to accept of a simple repeal without a renunciation; for in that case she will sacrifice a little pride to preserve all her power; whereas you will, for a petty sacrifice to your pride, forfeit all your security. But a confidence in the present administration ought to stop us. I deny it; not that I mean to deny or diminish any one of their virtues; I will allow them to have as much ability, power, popularity, and patriotism, as any of their predecessors: to fortify my argument, I will suppose them to have more of every excellence than all their predecessors together? and what do I say then? I ask, are the wisest, honestest, and greatest men of Ireland, the men that would soonest relinquish what they thought to be the rights and dignities of Ireland? Certainly not: Are then the wisest, honestest, and greatest men of England, the likeliest to relinquish what they think the rights and dignities of England? Certainly not. Either then the ministry are such men as I have now been describing, or they are not; if they are not such men, they do not deserve our peculiar confidence in any thing; and if they are such men, they cannot deserve our peculiar confidence in this point, unless their principle and conviction be on our side. Now we know it to be decidedly against us. Why does any country wish for a strong administration, I ask? because it makes the country strong. Now was it from the strength of England that we have gained our advantages, or from her weakness? From her weakness undoubtedly. —How then do we argue? The great strength of an administration gives great strength to England, but the great strength of England in this case is the weakness of Ireland: and

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yet the strength of administration is her security, these things are impossible.

This brings me to what fell from Mr. Fox; he said the measure of repeal could not stand alone, but must be accompanied by a final adjustment, and by a solid basis of permanent connection between these kingdoms; he said that some plan of this sort would come from the servants of the crown in Ireland, to the Irish Parliament, that when the result of Parliament was known, a treaty might be begun if necessary; if a treaty should proceed, then it would be to be ratified by the two Parliaments, and finally to be completed by irrevocable acts of the respective legislatures. Now I say, if we are to negotiate at present, we are to depart from our original principles; it is not five weeks ago that we all declared that we had made this a peremptory demand, and that we had nothing in it to negotiate; were we now to begin to negotiate, we should negotiate after great advantages had been obtained against us; for instance, we were desired to specify our wrongs; that they might be redressed; we did so, and as we specified our redress, we made our specification as narrow as possible, in order to facilitate redress; but had we specified with a view to negotiation, we must have made our specification as broad as possible, in order to have the greater advantage in negotiation. Our second address is another advantage gained against us, that is represented even here, and still more will it be held in England to be a repeated restriction on the requisitions of this country. What follows? That if we were to negotiate now, we must negotiate all on one side, bound up not to make demands, and open only to make concessions. Now a negotiation in which one may give every thing and gain nothing, may

be called a negotiation by some men; but by most men will be called folly; in this too we are to propose, though the proposition is to be against ourselves, and we are to propose this through the servants of the crown, which is still more against us. Now the servants of the crown will not propose terms for England, till our Parliament is properly prepared for the subject, and we know what that means. If the servants of the crown and the Parliament cannot be got to go far enough for England, then a treaty is to be begun, in which England will have advantage as to matter, and command as to time. In the stage of ratification she will have more, and in that of completion and consummation still greater advantages in all of these stages; all the cabinet and parliamentary councils of England will be unanimous on our side, viz. that of England. But the cabinet and parliamentary councils of Ireland will not be unanimous in favour of Ireland, but will, in general, have a decided majority in favour of England. What equity can there be in such a result? Here are five stages marked out by Mr. Fox, in each of which there may be a final difference of sentiment, and in each of which there may be a necessity for some, and an opportunity for great delay, without any management; this must be dilatory, and with a little dexterity, it can easily be spun out to a peace. Now I ask you, what is it that has given you every thing; is it not time? And as time has given you every thing, reflect that time may also take every thing away from you; but time is not necessary, negotiation alone is sufficient to undo you; you were not born to be negotiators. The negotiator is a dark, austere, inexorable character; you are soft, open, and persuadable; you have not the detailed knowledge, the systematical procrastination, the suspicious

suspicious reserve, or the frigid perseverance of a negotiator. When have you negotiated that you have not lost? You negotiated at the Restoration, you negotiated at the Revolution, you negotiated at the augmentation of your army, you negotiated your free trade, you negotiated the mutiny bill. When have you demanded that you have not succeeded, and when have you negotiated that you have not been deceived.

There never was a time which required more consideration than the present; the national exertion began in the last year of Lord Buckingham's administration, it is now drawing to a period, and whether that shall be glorious or otherwise, depends on your wisdom: a short view of what we have done will be a guide to what we should do; we had groaned for a century under an encroaching usurpation; the American war broke out, and whilst we were called upon to shed our blood for Great Britain, we were insulted with the application of that principle to Ireland which had revolted America; our feelings were exasperated by the application, and our trade was ruined by the war; we saw ourselves beggars in fact, and slaves in assertion. The merchants flew to a non-importation agreement, &c. the people flew to arms! Amidst this perturbation parliament assembled, and we amended our address by the demand of free trade, as we have lately amended our address by the demand of a free constitution, that is of an exclusive legislature on which all freedom of trade must depend—And therefore it was, that I did originally differ with some gentlemen, for I asserted that they had not obtained that freedom of trade of which they had boasted, because they had not obtained that freedom of parliamentary constitution, without which a freedom of trade could not possibly exist.

We received from England a dilatory answer. We shortened our money-grants to the crown—we shortened them to the subject. And the Irish public creditors, to their immortal honour, embarked so fully with the rights of the nation, as cheerfully to accept of a six months security. This rapid succession of sober and consistent efforts struck like lightning on the ministry and parliament of England, all obstacles gave way, our demand was to be granted in all its plentitude, all the British statutes restrictive of our foreign commerce were to be repealed, and on that constitutional principle on which alone it would be welcome—a principle, which, in that early period of this question, I took the first opportunity to lay down in clear, unambiguous and categorical terms. What was that principle? That, having a parliament of our own, our foreign trade was necessarily free, and subject to no restriction as to our ports, but such as our parliament might impose. This principle, we were told, was admitted by England, as to our foreign trade, and pleaded by her in return, as to her own ports and those of her colonies.—We admitted the principle which we claimed, and she said she would open to us her colony ports, on equal regulation of trade. The tidings of this emancipation, as it was idly called, landed in Ireland. The post-office was illuminated by an emissary of the castle; the college took fire in the next instance by an happy contagion, and the city caught the flame in a regular and sympathetic succession. All sober consideration was lost in an ignorant clamour, and the steady pulse of the public yielded to a fever of exultation. What was the consequence? England saw that we were surprized at our success—saw that we had asked more than we expected, concluded we would accept of infinitely less, and determined that should be

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as little as she could. First, then, she determined, not to repeal all her laws restrictive of our foreign commerce, yet, whilst an atom of such restriction remains, the total impeachment of your constitution remains; when, therefore, an artful resolution was prepared for this house, on that occasion, expressive of satisfaction in that enlargement of our foreign trade, I exclaimed against that word. If you thank the British parliament, I said, for the enlargement of your foreign trade, you admit she can restrain it; if you admit she can restrain it, you admit her legislative authority; that is, you gain little in commerce, and you lose every thing in constitution. I object to the word foreign, therefore, it belies Ireland, and it deceives Great Britain. The independent gentlemen of the day, however, did not feel, did not take up the principle, yet, though they did not take it up that day, they have felt it since; and though the word was universally admitted then, there is not a man in the nation that would not reject it now. Such was the first stage of this business. Let us see how much more worse we made it in the progress of negotiation. The language of England was the language of common sense. Ireland must have equal regulations in trade, she said, but equal taxes on home-consumption she did not say; equal regulations of trade may subsist between a poor country and a rich one, but equal taxes on consumption cannot. Now what has your negotiation made of it? You have made your arrangement a tax-law in part, which ought to have been a trade-law in the whole; that is to say, instead of a regulation in them, you made it a regulation against trade, and a severe and a caustic regulation too. What regulation, indeed, can be much more adverse to trade, than a heavy tax on a raw material

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imported for the purpose of trade, and for the end of manufacture? So pernicious are such taxes, that the Ministers in England, whose profusion has brought them on that country, have endeavoured to extenuate their malignity by two regulations; to console the manufacturer, they tell him that they will open to him the foreign market, by giving him a drawback on his manufactures exported, equal to the tax on the imported material. And they tell him besides, that they will shut up for him the home-market, and give him a monopoly of it. How? By laying a prohibitory duty on the manufacture imported from abroad; and what have they done as to manufactured sugars? They have laid a prohibitory duty upon them when imported into England from any other part of the world, Ireland even not excepted. What have we done? We have laid the same prohibitory duty on manufactured sugars imported into Ireland from any other part of the world; but we have excepted England, whereas she did not except Ireland. Now, there was much more reason for our excepting England, than there was for her excepting Ireland; and why? Because Ireland could never, by any possibility, be a rival in sugars to England in the English market, but England is actually a very formidable rival to Ireland in the Irish market.—What is the fact? The Irish manufacturer of sugars has but one rival in the world, and that is the English manufacturer of them; And what have we done? We have given him the full security against all those that are not his rivals; and we have not given it to him against the only manufacturers that are his rivals; we have given him perfect protection where he is in no danger, and we have not given it to him where he is in all danger. We have done worse by him, we have not only given him

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as much security against his only rivals, as against those who are not at all his rivals; but we have not left him as much security against his only rivals as he always had before; that is to say, the duty on the imported manufacture now bears a less proportion than ever it did before to the duty on the imported raw materials. By consequence his peril is greater, as his protection is less; and his security being diminished, his danger is enhanced. But that is not all; you have not done for him what England originally pointed out to you in his favour: she proposed equality as the principle of your regulation of trade; we adopted it religiously in that part to which it was not applicable, and, where it was precious, I mean in the tax part; and we only deserted it in the trade part, where alone it was applicable, and where alone it was beneficial. Such was the spirit in which we negotiated our free trade; let us take care how we negotiate our free constitution; but the error of that arrangement does not stop here. Its first principle was erroneous; it set out with this maxim—That you were to pay for this as if it were an enlargement, and that you were to pay for it in tax, as if you had not paid it otherwise before. But what is the truth? the sugars of Spain, Portugal and France, would supply your manufacturers, as well as the British West-India islands, and generally better; if, whilst you retained those markets, England had opened her colony ports too, this would have been a new market, which is always an advantage to the buyer. But what is the case now? you are suffered to go to the colony market of England, which is the English market in effect, and which is therefore her advantage; but, you give up this for all others, and some better markets, which is your disadvantage. Instead of its being an enlargement,

therefore, this is more properly a restriction; and instead of England's granting you a boon in this matter, it is you that give her a monopoly. Now, a monopoly is so much against the giver, and so much in favour of the obtainer of it, that no nation in its senses ever gives it to another.—And if a part of an empire gives it to the head, it cannot be on a principle of trade, because a principle of trade is a principle of gain, whereas this is a principle of loss. On what principle alone can it be given on a principle of empire? That is to say, in other words, it is a tax or a tribute, and that of the heaviest nature; but, if you were to pay for it in taxes, besides paying for it by monopoly, it would be absurd to pay for it more than it was worth. Now, take the whole West-Indian commerce, take the utmost proportion of that commerce that could ever fall to your lot, take the utmost proportion of clear profit that can be supposed to accrue from that quantity of trade, and then take the utmost proportion of what clear profit that can be afforded to revenue, and I say it would never amount to that sum which you have agreed to pay on the instant for the contingency of this direct trade, with this additional absurdity, that if you should not be able to establish it, these additional duties will be equally payable upon your old circuitous trade, which before was free from them. Will you trust negotiation again? This arrangement cannot be justified on any commercial principles. Was any constitutional advantage obtained by it? Far from it; the very principle of the arrangement is hostile to the constitution; it gives to the British parliament a virtual power of taxing you, for what is the principle of it? That when England taxes a colony produce, you must tax it equally or give up the trade. Thus this arrangement leaves both your trade and your

your money at the mercy of the Ministry and Parliament of England. Combine this with another law of the same period, the mutiny bill, therefore, and see what the result of both is. You complained that the British Parliament should make even a twelve months law for your army; and what did you do to remedy it? You made an act that she should do it for ever. The two greatest powers in the management of human concerns, are the power of the purse, and the power of the sword. You did by these two laws, for so much delegate away both of these great powers from yourselves to the British Parliament; that is to say, in the very moment that you talked of recovering your own authority, and denying that of the British legislature: you did every thing you could to strengthen the power of that Parliament which you meant to overthrow, and to weaken the power of that Parliament which you meant to establish. I do not speak these things in order to say what is disagreeable to any man living, much less to say any thing disagreeable to that body, in defence of whose privileges I have lived these two and twenty years, and in the defence of whose privileges I will die. I speak them from a deep conviction of their necessity. You see how you have been negociated out of every thing, and how dangerous it is to negotiate again. You see how dangerous it is to exult too soon, or to imagine that any think of this kind is done, while any thing remains undone. You see what a miserable end was made of Lord Buckingham's last session of Parliament, though it began with so much splendor; and as a part of this session has taken the steps of its glory, I would warn the conclusion of it against the steps of its decline. To put a stop, therefore, to the danger of negotiation, and to accelerate the safety of an

immediate repeal, and of a final renunciation, I move the resolution: I have before stated to you.

*For the REMEMBRANCER.*

MR. DEBBETT,

A letter having appeared in your Remembrancer, signed Lieutenant Colonel Cockburn, 35th regiment, in the subject of which I feel myself much concerned: I therefore request you, in justice to my character, and the honour of the corps I serve in, to insert the following letters:

*To the officers of the 13th regiment.*

"GENTLEMEN,

"Some aspersions on my character having appeared in the Political Magazine for July last, and other publications, under the signature of James Cockburn, Lieutenant Colonel of the 35th regiment; and the same having only come to my knowledge a few days ago, on account of my being in a distant and retired part of the country: I must now request the officers of the 13th regiment, with whom I have had the honour of serving, as a duty I owe to my own feelings, and character, to declare whether my conduct merited the reflections, so injuriously made use of by Lieutenant-Colonel Cockburn; which I shall here quote, viz: that I was an officer ill-spoken of by the corps, &c.

"I flatter myself, that my line of conduct has always been such as to deserve a very different opinion from what Colonel Cockburn has taken the liberty of asserting.

I have the honour to be, gentlemen,

Your most obedient,

And most humble servant,

WILLIAM ROGERSON,

Lieut. 13th regiment."

Sept. 20, 1782.

*To Lieut. Rogerson, 13th regiment.*

SIR,

"We are happy in assuring you, in answer to your letter of the 20th ult. that we retain a lively sense of

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the propriety of your conduct, both as an officer and a gentleman, and hereby authorize you, publicly to declare, that the assertion made use of by Lieutenant-Colonel Cockburn, of the 35th regiment, in the Political Magazine, &c. is groundless.

We are, Sir, your most

Obedient, humble servants,  
H. Houston, Lieut. 13th regiment,  
B. Follett, Lieutenant, ditto  
J. Buttar, Lieutenant, ditto  
T. Blackhouse, Lieutenant, ditto  
J. Belneavis, Ensign, ditto  
G. Hardyman, Ensign, ditto  
P. Smith, Ensign, ditto  
R. Saville, Ensign, ditto  
James Sheridan, Quarter-Master  
And. Edhouse, Lieut. Colonel, ditto  
G. Henderson, Captain, ditto  
Charles Rush, Captain, ditto  
W. Blair, Captain, ditto  
John Ogilvy, Captain, ditto  
John Watts, Captain, ditto  
William Hebburn, Lieut. ditto  
Christ. Davis, Lieutenant, ditto  
J. Scott, Lieutenant, ditto  
Hen. Williams, Lieutenant, ditto.

October 8, 1782.

To Lieutenant-Colonel Cockburn, 35th regiment.

"SIR,

"I must request the favour of you to inform me, whether the publication that appeared in the Political Magazine and Remembrancer, for the month of August last, with your signature annexed thereto, was a copy of the letter given in by you to General Matthews, at Barbados? And in order that you may be better enabled to answer this my desire, I have taken the liberty of inclosing you a copy.

I am, Sir,

Your most obedient humble servant

WILLIAM ROGERSON,  
Lieutenant 13th regiment."

*Salopian Coffee-house, Oct. 14, 1782.*

Not receiving any satisfactory answer to the above letter, I now pub-

licly call upon Colonel Cockburn for a reply.

WILLIAM ROGERSON,  
Lieutenant 13th regiment.

*From the LONDON GAZETTE.*

*Whitehall, Oct. 26.*

*Extracts of letters from the Right Hon. General ELLIOTT, Governor of Gibraltar, dated Gibraltar, September 11 and 12, 1782, and received at the office of the Right Hon. THOMAS TOWNSHEND, his Majesty's Principal Secretary of State for the Home Department, October 24. September 11.*

An attempt to try the effect of a heavy fire from our batteries with heavy carcasses, hot shot, and shells, upon the enemy's first-established advanced works and batteries, seemed so very practicable, that the commanding officer of the artillery was immediately directed to take the Lieutenant-General's orders for that purpose. In consequence the arrangement was very judiciously made, and completely executed by the artillery officers. The firing having commenced on the 8th inst. at seven o'clock in the morning, by ten o'clock their Mahon battery, consisting of six pieces of ordnance, and one adjoining of two guns, were set on fire, and by five o'clock P. M. were entirely consumed, with gun-carriages, platforms, and magazines, bomb proof. Part of the communication to the eastern parallel, and the trenches and parapet for musquetry in front of the battery, were also destroyed. The thirteen gun battery, next the bay, was so much damaged, being on fire in several places, that the enemy were put to the necessity of taking down one half of it, which they have now begun to re-establish. The success not only much exceeded my expectations, but had the happiest effects in other respects, as it provoked the enemy to open their  
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new mortar batteries, and recommence a fire from their forts and lines, for which they seemed by no means prepared. The enemy's loss in our fight was very considerable, as their endeavours to stop the progress of the flames laid them open to a very severe and well directed fire. Notwithstanding the great number of the enemy's shot and shells, we suffered no material loss.

The next morning by day break the enemy opened their new sixty-four gun-battery upon us, with all their mortars, and continued to fire without intermission from thence, as well as from their lines, (their whole artillery amounting to about 100 pieces of cannon, and 60 mortars) seemingly by way of retaliation, it being the general opinion their preparations were not sufficiently complete to begin their powerful attack, which, however formidable in appearance, I will venture to assure, that the impression upon our works as yet is scarcely perceptible.

On the same day the enemy's Squadron, consisting of seven sail of the line Spanish, and two French, with a large frigate and zebeque, taking the advantage of a Levant wind, got under sail from the Orange Grove, and one of them passing very slowly within random shot, fired many guns upon the South Bastion and Ragged Staff, continuing his cannonade until he got beyond Europa. The Squadron then went to the Eastward of the rock, and formed in a line, (the Admiral leading) came before the batteries of Europa, and under a very slow sail commenced a fire from all their guns, until the last ship had passed. They repeated this manœuvre at two o'clock the following morning, and again in the forenoon of the same day. These successive cannonades did not any ways damage the works. Some of the leading ships came pretty near the point of the first attack, but

having been frequently struck by our shot, they afterwards kept at a greater distance. Two of the Spanish ships went early in that morning to Algeziras, to repair, as we imagine. All the batteries at Europa were manned by the marine brigade, (encamped there), with a small proportion of artillery. The guns were extremely well laid and pointed; the whole under the immediate command of Brigadier Curtis.

About five in the afternoon of the same day, sixteen of the enemy's gun boats came over from Algeziras, formed in a line, and fired upon the garrison. Our batteries obliged them to retire in less than half an hour, not without some of them having suffered, as there is reason to suppose.

*September 12.*

The enemy continues his heavy fire from the isthmus; last night the gun and mortar boats repeated their attack. Nobody hurt by their fire.

The wind having come to the Westward, there is all probability the enemy will determine upon his final attack by sea in a very short time.

The enemy has made no further approach in his land attack since yesterday.

*Lanark, Oct. 1, 1782.*

His Grace the Duke of HAMILTON and BRANDON, Prefes.

At a meeting of the Noblemen and Gentlemen of the County of Lanark, held here this day, in order to take into under consideration, "The sketch of a bill for the better ordering the Fencible Men in that part of Great Britain called Scotland," and also, "Copy of a Bill presented by the Marquis of Graham to the House of Commons, in May, 1782, with the intended amendments thereon, for the better ordering the Militia Forces in that part of Great Britain called Scotland,"—his Grace the Duke

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of Hamilton and Brandon was unanimously chosen Preses.

The meeting were of opinion, that Scotland ought to have the power of raising a militia, should circumstances at any time render it expedient so to do; and if committees shall be appointed by the other counties of Scotland for taking this measure into consideration, they nominated the following persons, or any two of them, as a committee from this county, to meet at Edinburgh with the other committees, viz. His Grace the Duke of Hamilton and Brandon, Lord Braxfield, Sir John Lockhart Ross, Douglas, of Douglas; General Lockhart, of Lee; Lockhart, of Castle-hill; Hamilton, of Wislaw; Fullerton, of Carstairs; Maxwell, of Calderwood; Mr. Sinclair, Sheriff depute; Stuart, of Torrance; and Dick, of Garthberrie; and so soon as any general plan is agreed upon, it is recommended to the convener to call a meeting of the county, to take the same under consideration.

The meeting having duly deliberated upon the above sketch and bill, were of opinion, that the former would be attended with many inconveniencies, and was by no means proper to be adopted in any inland county, such as this; and with regard to the latter, they thought the consideration of it ought to be delayed till such time as the sentiments of the other counties are known.

JA. CUNISON, Clerk.

*Greenlaw, Oct. 1, 1782.*

At a general meeting of the noblemen, freeholders, and heritors of the county of Berwick,

EARL of HOME, Preses,

The meeting having taken into their consideration a copy of the

militia bill presented by the Marquis of Graham to the House of Commons during the last session of Parliament; and also the sketch of a bill proposed by the committee of noblemen and gentlemen in Edinburgh, were unanimously of opinion, That an internal defence in Scotland is highly necessary; approved of the mode of defence proposed in the bill by the Marquis of Graham; and recommended to Hugh Scott, Esq. their representative in Parliament, to give his support to any similar bill which may be brought before the House of Commons.

They requested their Preses to transmit their thanks to the Marquis of Graham; and also to testify to the Earl of Glencairn, and the other noblemen and gentlemen of the Edinburgh committee, the high sense this meeting entertain of their zeal and attention to so great a national concern.

By order of the meeting,

HOME, Preses.

We hear also from Dumfries, that at a general meeting of the county of Dumfries, the noblemen and gentlemen were of opinion, that a national defence for Scotland was highly necessary; but they preferred the sketch of a bill drawn up by the committee at Edinburgh before Lord Graham's plan, and before every other plan that had been produced. As it was a matter of serious deliberation, they appointed a committee to draw up what might occur to them on the subject, and to concert measures with the committee of the noblemen and gentlemen of Edinburgh who drew up the sketch of the bill. The court party are supposed to favour the Marquis of Graham's plan; and the people to support the sketch of the bill drawn by their own committee at Edinburgh.

*Another Speech of Mr. Flood.*

*Friday, June 14.*

Mr. Grattan took notice of the bill lately passed in England, permitting a trade between his Majesty's European dominions (including Ireland) and certain places in the West Indies.

Mr. Flood. I do not mean to oppose the most liberal interpretation that can be given to the bill in question, for to me it was never matter, yet I think it might easily have been worded so as not to alarm any man. Suppose it was worded thus, "All his Majesty's dominions in Europe subject to the legislature of Great Britain;" these words certainly would have done, and as they are plain and obvious to me, a man of mean and weak capacity, I cannot think that the great and able men who compose his Majesty's ministry, could have found any difficulty in using these or other words still more satisfactory to Ireland.

But I shall leave this subject, as I have a matter of much greater importance to bring forward. I find that the final judicature is restored to the peers of Ireland, except in the case of appeals *now before* the peers of England—could England make this exception if she did not think she had not a right to determine these particular cases? and if she had a right to determine *these*, she had a right to determine every case. We are told that the faith of England is plighted to us, that we are secured by faith of nations; every state in Europe has the same security, yet do we not see them every day publishing manifestos, levying war, and destroying multitudes, notwithstanding this boasted faith of nations. The faith of nations admits of no appeal but to the sword—by absurd barbarism called an appeal to Heaven—it would ill become nations governed by the same sovereign, to think of such ap-

peal—their appeal should be to the law, and if we can have the security of law, will any man be frantic enough to say we should reject it? will any man be frantic enough to say we should not take the best security we can obtain?—were my single voice in opposition against a million, I say we should make ourselves secure as possible.

I speak without hope and without fear, without partiality to the present administration, or without any cause of resentment to them. I speak with the voice of truth, and I will not depart from it, though I expire under the weight of this great argument. Will you not have the utmost legal security? is the utmost legal security to be treated with contempt? you can't have any legal security from France or from Spain, the faith of nations must therefore supply its place, but with England the case is otherwise. Suppose then that you had obtained it, and that England by an act of perfidy sufficient to draw down the curse of the Almighty upon her, was again to extend the hand of oppression towards you, what would be your situation? is there a nation in Europe whose generosity, whose benevolence, whose interest would not induce them to enter into a confederacy of honour to support the gallant associations that cover and adorn your land. This is the very moment in which you may eradicate the ancient prejudice of England, and if you now lest pass the opportunity, you may bid it farewell for ever.

I do therefore move you, that the opinion of the nine judges of the land shall be taken upon this question,

"Whether the repeal of a declaratory act is in a legal construction, a renunciation, or repeal of the legal principle, on which that declaratory act was grounded,

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If you can obtain legal security, why should you reject it. The faith of England is not distinguished by legal security, and if you can have both, why will you be content with one? I respect England as much as I respect human nature, but was it ever known, that any country ever relinquished willingly a power it had obtained over another? why then should you suppose that England possesses a degree of virtue above human nature.

Mr. Grattan. If the security that the honourable gentleman desires, be a British statute, I reject it, I would reject Magna Charta under a British statute. We have not come to England for a charter, but with a charter, and we have asked her to cancel all her declarations made in opposition to it. This is the true idea of the situation of Ireland; no man will be content with less than a free constitution, and I trust no man will be frantic enough to hazard that in attempting to gain more. I should have been pleased if the renunciation of the claim had been made, but as it is, I think the repeal of the 6th of George the First, to every ingenious, rational and honest man, must shew that England is sincere, and by giving up the final jurisdiction, she has scarcely left a possibility of renewing her claim.—There are certain rights inherent in parliaments which they cannot relinquish or give up; now, though the present Parliament of Britain has renounced all claims to bind Ireland, yet a man who has a mind to argue with possibilities may say, we are not secure, because a future English Parliament may think themselves entitled to exercise a power which their predecessors could not relinquish. Thus we may go on with a spirit of insatiety, supposing ideal dangers, and finding food for perpetual discontent. As to administration, I have as little

personal connection with them as the honourable gentleman. My stake in this country is too great, the honour it has done me too valuable to be trifled with; I cannot have a wish, I cannot have a feeling but for the emancipation of Ireland.

Mr. Flood. 'Tis very seldom I differ in opinion with the honourable gentleman, when I do, it is with confidence and much reluctance, however, I am comforted, that when I did differ with him I was right. I differed with him on the word *foreign* in Lord Buckingham's time, and though the word was then almost unanimously admitted, there is not now a man in the nation that would receive it.

Mr. Grattan said they did not then differ.

Mr. Flood appealed to the debate as accurately taken. But [continued Mr. Flood] there is no necessity for apologizing for men's differing opinions. The honourable gentleman himself allows that the renunciation would be a good thing, yet he says, that if we were to desire a renunciation, we should stand on a British statute; why then did he desire a repeal, for if we stand on a British statute in the renunciation, we stand on a British statute in the repeal.

Suppose a man had instituted the most unjust suite against your estate, would a formal renunciation of that suit, and the pretended right on which it was grounded, be an injury to you?—Magna Charta has been spoken of, how was Magna Charta obtained? the King, who had violated the liberties of the land, was met at Runny Mead by the Barons in arms; they desired him to renounce the unconstitutional powers he had assumed. The very thing I now desire of England. The King renounced them; the deed of renunciation became a charter, and such I should esteem the English act of Parliament.

liament which should renounce the power she formerly assumed. England has asserted that she can bind you; you assert that she cannot; was she to agree to your assertion, then indeed her faith would be plighted, and every man must see we would be more secure. If, after this, England was again to assume an authority, that would be a breach of public faith indeed; but if she only repeals without renouncing, the case is otherwise; and so convinced am I of this, that I am ready to appeal not only to the nine judges of Ireland, but to the twelve judges of England.

The principle of law is this—that a declaratory law cannot make that law which was not law before—neither can it make that cease to be law which was law before. England has then only repealed a law, declaring that she had a right to bind Ireland—yet several of her statutes still remain in force. I am therefore willing to appeal to the most solemn judicature, that if we are still unsatisfied, it may be known we are unsatisfied upon legal ground: and as in this we are not only within the spirit of our address, which never did confine us to a simple repeal of the 6th of Geo. I. and which is sufficient for me, but also within the letter of it, which ought to be sufficient for the hon. gentleman. He can have no objection to the resolution. When a man talks of a repeal implied, or of a virtual repeal, he talks of an argumentative repeal; but is he sure that he always argues rightly? or is he sure the majority of an House of Commons will always argue rightly? I scorn the idea of detracting from any man's merit, or casting censure upon any man. The idea is too shabby for me. I call God to witness that I have no interest but my duty. The approbation of other men is a flattering concomitant; but my great object is the

satisfaction which arises to my own mind in supporting the rights of my country, and which I will support with my latest breath;—and I do adjure you by that God, who for four years past seems to have looked with an eye of satisfaction upon this country, that you weigh well the consequence of this resolution. And I do beseech him to assist you against the errors of those who are honest, and the machinations of those who are base.

On the motion being put for the order of the day, it was carried without a division; by which the question was got rid of.

#### LIBERTY VOLUNTEERS.

20th May, 1782.

At a full meeting of the Liberty Volunteers (pursuant to regimental summons and public notice) it was unanimously resolved, That the following resolutions (agreeable to a motion entered upon their books, on the preceding field day) should now be confirmed:

Colonel Sir EDWARD NEWENHAM  
in the Chair.

Officers present; Alex. Graydon, Esq. Lieutenant-Colonel.

William Worthington, Esq. John Owens, Esq. Thomas Beasley, Esq. Thomas Murphy, Esq. Captains.

Mr. Thomas Horan, Mr. William Hall, Ensigns.

†† James Horan, Esq. alderman, major, not present at parade, but has since approved of the resolutions.

Resolved, That the most sincere and grateful thanks of this corps be given to the Right Hon. Henry Seymour Conway, Commander in Chief of his Majesty's forces in Great Britain; the Right Hon. Charles James Fox, one of his Majesty's Principal Secretaries of State; the Right Hon. Thomas Townshend, his Majesty's Secretary at War; and the Right Hon. Lloyd Kenyon, his

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Majesty's Attorney-General, for their manly, just, and generous defence of the Volunteers of Ireland, against the absurd and groundless assertion of that man, who had the presumption to declare, that our glorious and magnanimous brethren, "had subverted the Government of their country, and overturned its constitution," and, adding calumny to insult, dared to insinuate, "That the Volunteers had usurped the Government of Ireland."

We do not wish to animadvert on the insignificance of that man, or review his connections, further than by observing, that when some of the intimates and relations of those connections were supporting the Pretender and his cause, during the late rebellion, and fomenting insurrections in North Britain, the Irish nation (Protestants and Roman Catholics uniting) was to a man loyal in defence of the illustrious house of Hanover.—Most nations have produced some men beneath contempt, and we have our share of such characters—though in general they are lately become penitents for their former tergiversation: We admit them to a forgiveness of their political sins, yet we cannot trust them in public stations, until they are purified by years of contrition.

We most cordially embrace this opportunity of congratulating our sister kingdom and this nation, on that wise and prudent choice which his Majesty has been pleased to make of men able and willing to recover the power, support the consequence, and revive the glory of the British nation.

The pleasing prospect now opens to our view, that parliaments hereafter will be the representatives of the people, and not the slaves of a minister:—That a complete reduction will be made of useless employments and unmerited pensions, in

every department:—That there will be a law to exclude placemen (except the great officers of the State) from the House of Commons:—That there will be a bill to relieve the minds of conscientious revenue officers, disabling them from voting at elections for members to serve in parliament:—and finally, that a more equal representation of the people in the national assembly will give stability and add lustre to the rights and liberties of Ireland, as moved for by that able patriot Henry Grattan, Esq. and seconded by that faithful representative William Brownlow, Esq.

Determined to the latest period of our lives to cultivate and improve the most lasting and brotherly love with the subjects of our sister kingdom, we will, as citizens and volunteers, support them in defence of their constitutional rights and privileges; and we shall ever hold that man, or body of men, as inimical to both nations, who endeavour to foment divisions, by opposing or impeding the patriotic system of the present British and Irish administration, whose sole object appears to us, to be the general good of the whole kingdom.

That you, Gentlemen, may long continue the favoured and true friends of his Majesty, the faithful ministers and guardians of his subjects, and be the happy instrument of reviving Britain's glory, is the sincere and ardent wish of the officers and privates of the Liberty Corps of Irish Volunteers.

Resolved, That a copy of the foregoing resolutions be signed by the Secretary, and forwarded by our Colonel to each of the Gentlemen before-mentioned.

Resolved, That the above be inserted in the English and Irish Newspapers, together with the answers.

Signed by order,

ROBERT WALKER, Sec.  
*Warwick*

*Warwick-Street, May 31st, 1782.*

SIR,

I had the favour of your letter, transmitting the thanks of the respectable corps of Liberty Volunteers, of which you are chief.

It must be extremely flattering to me, that any part of my conduct could be thought an object worthy their attention.

In defending the volunteers of Ireland against prejudiced or malevolent attacks, I did no more than an act of justice; such attacks, I thought could only come from persons ignorant of their behaviour, or enemies to their principles.

When your country was left exposed, and your coast unguarded against our powerful enemies, you armed for its defence; and what might seem irregular in the mode, was justified by the end. Far from destroying the inward peace of your country, you maintained it; and the civil magistrate was often enabled by your assistance, to suppress tumults, that impeded the due course of justice, or disturbed the public tranquillity.

In the friends of Ireland and its defenders, all true Britons saw their own, and the zeal you shewed for the safety and welfare of your own kingdom, gives the surest earnest of your readiness to meet their friendship, now so fully and so cordially offered, and to turn, in perfect harmony with them, your united efforts against the common enemy.

Great Britain, Ireland, and I may almost add America, have no longer a foe, but the foes to liberty and the common rights of men; their mutual jealousies could alone shake the security of this great empire, and their union will, it is hoped, soon revive its ancient splendour, and fix its power and its happiness on an eternal foundation.

I am, Sir, with great regard and

esteem, your most faithful and obedient servant,

H. S. CONWAY.

*To Sir Edward Newenham,  
Drumcondra.*

*To Sir EDWARD NEWENHAM, Colonel of the Liberty Volunteers.*

SIR,

I am honoured with your letter, inclosing a copy of the resolutions of the Liberty Volunteers

I beg leave to trouble you to return my thanks to those gentlemen, for the favourable opinion they are pleased to entertain of my conduct.

The expressions which the resolutions contain of cordial affection for this kingdom, is what might be expected from good subjects, zealous in support of that excellent constitution which both kingdoms enjoy in common; and who are aware, that the strictest connection between the whole British empire is necessary to the well-being of every part.

I have the honour to be,

SIR,

With great respect,

Your most obedient,

And most humble servant,

L. L. KENYON.

*Lincoln's-Inn Fields, June 5, 1782.*

*Albemarle-Street, June 6, 1782.*

SIR,

I received some days ago the honour of your letter of the 22d of May, with the inclosed resolutions of the corps of Liberty Volunteers, I have been prevented, by a very severe misfortune which has happened in my family, from acknowledging the receipt of them till now.

I cannot easily express how much I feel myself honoured by that part of the resolution which regards myself, little expecting, that the inconsiderable share which it fell to my lot to take in the debate alluded to, could have been thought worthy of

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so-flattering a mark of approbation from the Liberty Volunteers.

I was desirous indeed to be among the first to repel what appeared to me a very unjust accusation against bodies of men who formed themselves for the protection of their country from foreign invasion, and who have rendered it essential service.

I have always considered the prosperity of Ireland, and the prosperity of England, as inseparable; and it is among the few circumstances upon which I presume to value myself, that during a pretty long course of parliamentary attendance, I have never suffered any occasion to slip me, of supporting the just pretensions of Ireland, against mistaken policy and local prejudices.

That this wretched policy is now universally exploded, and that these prejudices have subsided every where, is matter of joy to every honest man in both kingdoms, and that, from these events, may arise such a perfect union of affection and of zeal in both, as to make us happy at home, and extricate us out of the dangers and difficulties which threaten both equally, is the most sincere wish and fervent prayer of one, who has the honour to subscribe himself, with great respect and esteem,

SIR,

Your most obedient  
Humble servant,

T. TOWNSHEND.

P. S. Give me leave to beg that you, Sir, will accept my best thanks, for the obliging manner in which you have been pleased to communicate to me the resolutions by which I am so much honoured.

To Sir Edward Newenham, Drumcondra, near Dublin.

*Extract of a letter from Major-General GREENE to his Excellency the President of Congress, dated Head-*

*Quarters, near Bacon's Bridge, South Carolina, May 21; 1782.*

" SIR,

" I have the honour to inclose for your Excellency's perusal, a copy of a resolution of the British House of Commons, together with his Britannic Majesty's answer, which was delivered to me last night from Lieutenant-General Leslie, by Major Skelly, his aide-de-camp, accompanied with a verbal message to this effect, " That as this change of measures seemed to lead directly to a peace, he would consent to a cessation of hostilities on his part, provided that we should do the same on ours, until he should receive further orders from New-York, or from the court of Great Britain."—Major Skelly adds, that Sir Henry Clinton had sailed for England; that Sir Guy Carleton was arrived at New-York, with the appointment of Commander in Chief; and that his Secretary was probably at present with Congress. As the proposal of a cessation of hostilities was not made to me in form, I did not think proper to return a written answer; but if it even had been made according to the most scrupulous form, I should not have thought it proper to consent to any thing of that nature, without the orders of Congress."

I have the honour, &c.

NATH. GREENE.

*Extract of another letter from the same to the same, dated from the same place, May 31.*

" SIR,

" I had the honour to write to your Excellency the 21st instant, on the subject of a verbal message from Lieutenant-General Leslie, proposing a cessation of hostilities, in this country; as I was not authorised to accede to any such proposal, I informed him, that I must wait the orders

fers of Congress, before I could with propriety give him a definitive answer. That your Excellency may the better understand the nature of the proposal, and what are the circumstances on which it is founded, I take the liberty to inclose the General's letter, with my answer."

*Head Quarters, Charles-Town,  
May 23, 1782.*

"SIR,

"Captain Skelly having communicated to me the questions which you did him the honour to ask, relative to the papers which I had submitted to your consideration, and the official authority that I had to propose a cessation of hostilities, and the grounds I had for believing that a treaty was actually on foot, for the purpose of putting an end to the war; in answer to your questions, I have to inform you, that these papers were transmitted to me by his Excellency Sir Henry Clinton, together with a letter from the Right Hon. Welbore Ellis, then one of his Majesty's principal Secretaries of State, referring me to them generally for instructions to direct my conduct on this subject: my suppositions relative to the actual existence of a negotiation, are founded not only on the weight of their authority, but also, on the clear and positive terms in which they express the sentiments of the King and House of Commons. I every moment expect more ample instructions from our present Commander in Chief, Sir Guy Carleton, whose appointment, and arrival in America, have not yet been officially notified to me.

"Thus, Sir, I have plainly explained to you the manner and the circumstances, under which these papers came to my hand; and as I cannot doubt, after all the current reports, and the receipt of these documents; but a suspension of hostilities has by this time taken place

in the Northern Colonies; and believing that a negotiation is actually on foot for putting an end to the war, I think it due to humanity, to the well-being of this country, and to the sentiments of the legislative power of Great Britain, to propose that a similar suspension should take place *here*.— With these motives, I renew the proposal; and with your consent, shall send Commissioners to settle the terms, and to secure the civil and military interests of both parties, in their present state and condition; assuring you, at the same time, that I shall give you the earliest notice of the instructions that I may receive on this subject from New-York.

I have the honour to be, &c.

ALEXANDER LESLIE."

*His Excellency Major General Greene.*

"SIR, *Head Quarters, May 25.*

"I received the letter, which you did me the honour to write to me on the 23d. In answer, I can only say, that I have received no orders from Congress on that subject; but, if there is actually on foot a negotiation for terminating the war, or if a suspension of hostilities has taken place in the north, I shall undoubtedly receive orders in a few days; till then, I cannot think myself at liberty to consent to a cessation of hostilities.

I have the honour, &c.

NATHANIEL GREENE."

*His Excellency Lieut. Gen. Leslie.*

*By the United States, assembled in Congress, June 28, 1782.*

On the report from the committee, composed of Messrs. Duane, Izard, and Madison, to whom was referred the letter of Major-General Greene, of the 21st of May, — Resolved, "That the Secretary at War do inform Major-General Greene, that the United States, assembled in Congress, approve his conduct, in rejecting the overtures for a cessation of hostilities, which had been made



to him by Lieutenant-General Leslie, Commander of the British troops at Charles-Town; and that he do assure him, that Congress will make every effort to put him in a condition that may enable him effectually to oppose the enemy.

(Signed by order) : ~~As it is impossible for us to express~~

CHARLES THOMPSON, the consideration with which we were

*Extract of a letter from New-York, August 18, 1782.*

" Inclosed I send you a copy of an address to the King's Commissioners for restoring peace, presented by a Committee chosen by the loyal inhabitants of the several wards of the city, and by the Refugee Loyalists from the different provinces in America, now residing within his Majesty's lines. I have not been able to procure a copy of the Commissioners's answer, nor of the address which the Committee have requested Governor Franklin to present to the King, otherwise I should have sent them by this opportunity. Probably you may see them published in some of the London papers; but this, however, will serve to give you some idea of our present deplorable situation, and of the still greater evils which we have in prospect.

To their Excellencies Sir GUY CARLETON, K. B. General and Commander in Chief, &c. &c. &c. and the Honourable Rear-Admiral DIGBY, Commander in Chief of his Majesty's ships, &c. &c. His Majesty's Commissioners for restoring peace, &c. &c. &c.

The Loyal Inhabitants and Refugees within the British lines at New-York beg leave, most respectfully, to present their united acknowledgments to your Excellencies, for the ready and polite communication you were pleased to obligingly to make to them, of the contents of the letter sent by your Excellencies to General Washington, respecting the negotiations for a general peace,

by the several powers at war, now at Paris; and the proposal directed to be made by his Majesty, of the independency of the Thirteen Provinces of America, in the first instance, instead of making it a condition of a general treaty.

As it is impossible for us to express the consideration with which we were struck, even on the probability of so calamitous an event taking place, as that held during the proposition stated; so that we cannot suppress our feelings on a point so exceedingly momentous in its consequences to the British empire, and in particular to our own future peace, safety, and happiness.

To preserve the British dominions entire, and to evince our pure and disinterested affection for his Majesty's sacred person and government, we hesitated not to step forth, and hazard our lives and fortunes; confidently relying on the assurances repeatedly given to us by his Majesty, and firmly depending on the justice, magnanimity, and faith of Parliament, that we should never be deserted in a cause so just, and in distresses so great and overwhelming.

With unfeigned gratitude we acknowledge his Majesty's paternal goodness and attention to the sufferings of his loyal subjects in America, for the protection hitherto afforded them: the bounties furnished, and the great and spirited efforts made by a brave and generous nation, to reclaim the Colonies to a due connection with the parent state.

We have most pathetically to lament, that such noble, and more than equal exertions have failed; although their failure has not been owing to any real implacability of the war. We take leave to assure your Excellencies, that we have every reason to believe, there yet exists a majority of the people throughout the Province, who are ardently desirous to be again re-united

united in his Majesty's just authority and government; and that from a combination of circumstances arising from various public distress, the spirit of re-union is now actually operating in several quarters, to bring forward measures productive of the most favourable consequences to his Majesty's interests.

With such flattering prospects in view, at a moment that, through the Divine assistance, his Majesty's naval superiority has been gloriously asserted and regained; when the most brilliant advantages have been obtained by his victorious arms in the East; when, instead of any symptoms of real debility, the national commerce, resources, and spirit seem to be rising far beyond those of our combined enemies, we joyfully concluded, that the independency of those Provinces would have been still considered as inadmissible, because injurious to the safety, and incompatible with the glory and dignity of the whole British empire. The hour of victory and success may perhaps be the proper hour to treat of peace, but not, we humbly conceive, to dismember an empire.

We presume not, however, to arrogate the wisdom of his Majesty's Councils, nor to judge of the great political necessity which may have existed to justify this measure; to the virtue, wisdom, and prudence of his Majesty, of his Parliament, and of the nation at large, we must submit this great and weighty question.

But should the great event of the independency of the Thirteen Colonies be determined, and we thereby have to encounter the most inexpressible misfortune of being for ever cast out from his Majesty's protection and government, we have only then to entreat your Excellencies interposition with his Majesty, by every consideration of humanity, to secure, if possible, beyond the mere form of treaty, our persons and pro-

perties; that such as think they cannot safely remain here, may be enabled to seek refuge elsewhere.

These are the sentiments, may it please your Excellencies, which, in the fulness of our hearts, we feel ourselves constrained to express in this alarming moment; influenced, however, by a hope that it may not yet be too late, we most earnestly and humbly request of your Excellencies, that you will be pleased to represent to our gracious Sovereign, accompanied with our warmest and most affectionate assurances of duty and loyalty, our present distressed situation, the confidence we have in his royal and benevolent attention, and in the justice of the British nation, to save us from that ruin and despair which must otherwise fall upon our devoted heads.

As witnesses to our distress, and generously sympathising with us in our misfortunes, we cannot fail to have advocates in your Excellencies to the throne of our beloved Sovereign, the most zealous and able. Firmly persuaded of this, we shall, in the mean time, by a manly and steadfast conduct and loyalty, endeavour to support his Majesty's interests within these lines, preserving your Excellencies good opinion, and patiently wait the event.

Signed by the COMMITTEE.  
*New-York, Aug. 20, 1782.*

*Copy of the Capitulation between EDWARD THOMPSON, Esq. and the Colony of Demerary.*

( C O P Y )

We, Edward Thompson, Esq. Captain of the *Hyxna*, and Commander of his Majesty's ships and vessels in Demerary, Essequibo, Berbice, and on the Coast of Guiana, along the Spanish Main,

As likewise the Honourable the Commandeur and Council of Demerary and dependencies, notices by these presents, that in consequence

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of the war, between his Britannick Majesty and the States General of the United Provinces, this River having been taken possession of by his Majesty's said ships, the Commandeur and Council had resolved, with the approbation of several of the inhabitants, to commit the gentlemen J. Bourda and J. Hallip, Esquires, to go to their Excellencies Admiral Sir George Brydges Rodney and General Vaughan, to entreat them to grant this colony such terms of capitulation as this court had given them in writing, at least as far as their Excellencies would grant; that in consequence thereof, said gentlemen had obtained the following capitulation:

By Sir GEORGE BRYDGES RODNEY, *Baronet, Knight of the Bath, and Commander in Chief of his Majesty's ships and vessels employed and to be employed at Barbados, the Leeward Islands, and the seas adjacent, And by the Honourable General JOHN VAUGHAN, Commander in Chief of his Majesty's Land Forces employed at the West Indies, &c. &c.*

Whereas the Inhabitants of Demerary, and the River of Essequibo and dependencies, have surrendered at discretion to the arms of his Britannick Majesty,

It is hereby granted to the inhabitants to remain in full possession of their property, and to be governed by their present laws, till his Majesty's pleasure is known.

All the property, stores, &c. belonging to the Dutch West India Company, to be delivered up to his Britannick Majesty's officers.

The inhabitants to take the oaths of allegiance to, and be admitted under the protection of the crown of Great Britain; and will be allowed to export their produce to Great Britain, or the British Islands of Tobago, or Barbados, in British bottoms, and be treated in all respects as British subjects, till his Majesty's pleasure is known.

The Commandant, and the other officers, have leave to go to Holland in a cartel, taking with them all their effects, of whatever nature. The troops to have the same indulgence.

Given under our hands at St. Eustatius, this fourteenth day of March, one thousand seven hundred and eighty-one.

(Was signed) GEO. B. RODNEY.  
JOHN VAUGHAN.

Which capitulation having been communicated to several principal inhabitants, and no material opposition having been made, the same has been ratified and confirmed by the said Commodore Thompson and Commandeur and Council of Demerary, and it is further enacted and resolved, That the inhabitants of this river shall not be obliged to take the oath of allegiance within six months from the date of these presents; and further, that in consequence of the aforesaid capitulation, the Commandeur and Council of Demerary shall remain in the full possession of the administration of the police, and justice of this colony, in which Assemblies, the said Commodore Thompson shall have the presidency; if he shall require, in order to be informed of all the business of the colony.

The ordinary sessions of the court's of police and justice, shall be held on Monday the 21st of May next.

The meeting of the commissarial courts and roll, shall be on Thursday the 8th of the said month of May, and continued to be held like formerly; and if any inhabitants should require any thing in the mean time, they may address themselves to the commissaries of the month.

And lastly, it is hereby likewise notified, that all civil officers are continued in their offices; as likewise the captains and officers of the militia, ordering hereby all and every inhabitant to acknowledge and respect

**I**npect the aforementioned officers in their respective qualities.

Resolved and enacted in our court of Demerary the ninth day of April, 1781.

(Was signed)

EDWARD THOMPSON,  
P. VAN SCHUYLENBURGH.

(Underneath was wrote)

**T**er Ordonantie VANDEN EDELE NOOE.

(Was Signed)

**A.** MEERLENS EERSLE, Clercq.  
den Secrevaiss vervangend.

A true copy from the original.

**D**emary, 24th April, 1781.

J. L. C. V. BAERLE, Sec.

### *Capitulation of Essequibo.*

In an extraordinary meeting of the Court of Police of the River Essequibo, on Friday, April 13th, 1781,

Present, Edward Thompson, Esq. Captain of his Britannick Majesty's ship Hyana, and Commander of his Majesty's ships and vessels in Berbice, Demerary, Essequibo, along the coast of Guiana, and the Spanish Main; accompanied by George Day, Esq. Captain of his Britannick Majesty's ship Surprise, on the one part, and the Honourable Director-General and Council of the aforesaid river, on the other part.

Being resumed and considered, the articles of capitulation proposed by Sir George Brydges Rodney, Baronet, Knight of the Bath; Admiral of the White, and Commander in Chief of his Majesty's ships and vessels employed and to be employed at Barbados, the Leeward Islands, and the seas adjacent; and by the Honourable General John Vaughan, Commander in Chief of his Majesty's Land Forces employed in the West-Indies, &c. &c.

Setting forth,

Art. I. It is hereby granted to the inhabitants, to remain in full possession of their property, and to

be governed by their present laws, till his Majesty's pleasure is known.

II. All the property, stores, &c. belonging to the Dutch West-India Company, to be delivered up to his Britannick Majesty's officers.

III. The inhabitants to take the oaths of allegiance to, and be admitted under the protection of the Crown of Great Britain, and will be allowed to export their produce to Great Britain, or the British Islands of Tobago and Barbados, in British bottoms, and treated in all respects as British subjects, till his Majesty's pleasure be known.

IV. The Commodant, and the other officers, have leave to go to Holland in a cartel, taking with them all their effects of whatever nature; the troops to have the same indulgence.

And the aforesaid articles, by these presents, are ratified, signed, and exchanged, with the following additions:

That the 31st article, with regard to the oaths of allegiance, shall be postponed for six months from the date hereof.

That those of the troops that shall go to Holland, according to the last article, shall be allowed to march on board in the same manner, as they have been to leave the Fort Crittenden, to deliver up their arms.

It is further proposed and approved, that Edward Thompson, Esq. Commander of the ships of war of these Colonies, do take his seat in the said honourable Council, at the meetings of the respective courts of the river Essequibo,

Thus done and confirmed the date aforesaid.

EDWARD THOMPSON,

GEORGE DAY,

G. H. STROBZ,

T. C. SEVERYN,

D. ANTH. BOORN,

HEND. MILBORN.

P. V. SG. STEENHEN,

As. DE RAESS, Sec.

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*Capitulation*

*Capitulation of Berbice.*

By Edward Thompson, Esq. Commander of his Majesty's ship *Hyena*, and the ships of war in the colonies of Berbice, Demerary, and Essequibo, on the part of his Britannick Majesty, and J. E. F. Berthon, delegated by the Governor and Council of Berbice; the articles of capitulation being considered as proposed by Admiral Sir George Rodney and General Vaughan, are admitted and allowed with the following additions:

Art. I. It is hereby granted to the inhabitants, to remain in full possession of their property, and to be governed by their present laws, till his Majesty's pleasure is known.

II. All the property, stores, &c. belonging to the Dutch West-India Company to be delivered up to his Britannick Majesty's officers,

III. The inhabitants to take the oaths of allegiance to, and be admitted under the protection of the Crown of Great Britain, and will be allowed to export their produce to Great Britain, or the British islands of Tobago and Barbados, in British bottoms, and treated in all respects as British subjects, till his Majesty's pleasure is known.

IV. The Commodant, and the other officers, have leave to go to Holland in a cartel, taking with them all their effects of whatever nature; the troops to have the same indulgence.

And the aforesaid articles, by these presents, are ratified, signed and exchanged, with the following additions.

That the 3d article, with regard to the oaths of allegiance, shall be postponed for six months from the date hereof.

That those of the troops that shall go to Holland, according to the last article, shall be allowed to march on board in the same manner as they have been to leave the Fort Crittendon, to deliver up their arms,

That the covenant and terms made on the 13th of March, of this year, between James Wolcott, commanding the Regulator privateer, and the Governor and Counsellors of Berbice, shall be expunged and void, and this colony be considered in the same State, as it was before the said 13th of March.

That the Governor of Berbice be allowed to purchase such provisions as are immediately necessary for the present support of the Government's soldiers, slaves, and servants, and to pay their wages by taking produce, of the society's plantations for the same, until a new establishment takes place, and his Majesty's pleasure is known.

It is further proposed and approved, that Edward Thompson, Esq. Commander of the ships of war of these Colonies, do take his seat in the said Honourable Council, at the meetings of the respective courts of the River Berbice.

These ratified and confirmed in the River Essequibo, on the 16th of April, 1781, by Edward Thompson, Esq. Commander of his Britannick Majesty's ships and vessels in the three Colonies of Berbice, Demerary, and Essequibo, and by J. E. F. Berthon, delegated by the Governor and Council of Berbice, with full authorities for the same.

EDWARD THOMPSON,  
J. E. T. BERTHON.

Witness  
Secretary for the Colony of Essequibo,

AS. DE RAESS.

*Brigadier-General FRASER, Hyena,  
St. Kitt's, Seven in the Morning,  
November 28, 1781.*

( C O P Y )

SIR,

It seems to me beyond a doubt, that St. Eustatius is taken by surprise; and I should suppose, not by more

more men than the British troops, within the garrison.

I feel a strong inclination with your approbation, and the assistance of three hundred men, to attack the ships and the island, at the dead of this succeeding night, my force consists of the *Hyana* of 24 guns, the *Fortune* of 36, the *Amazon* of 32, and the *Drake* sloop; added to these, I will endeavour to man the *Speake* Indiaman. I am much flattered with the promised success of this project, and I think that the suddenness of the surprize may warrant, and even assure success.

I have the honour to be,

SIR,

Your very obedient servant,

EDWARD THOMPSON.

As many ungenerous methods have been taken to prejudice the minds of the public, by misrepresentations of the conduct of General Frazer and myself.—I have therefore, with the approbation of the Lords of the Admiralty, enclosed you my letter to the General, on my arrival with the convoy in *Basse Road*, *St. Kitt's*, the evening following the capture of the island of *St. Eustatius*, which was on the 26th of November, 1781, and the General's answer to me.

EDW. THOMPSON.

Captain EDWARD THOMPSON, Commander of the *Hyana*, *Basse Terre Road*.

SIR,

I have the honour of your letter of this day's date, wherein you make a requisition of 300 men from me, to attack the ships now before *St. Eustatius*, and to endeavour to recover that island from the enemy. The few troops I have here are for the defence of this island, who are at present posted on *Brimstone-hill*; besides, by an order from the Secretary of State, I cannot remove any of the troops from this island, without the approbation of the President of the

Council Mr. Johnson, or the Governor, if he was here; for these reasons I cannot comply with your request.

I was told by Colonel Fakie this day, that one large ship, and two others, were seen this day going into the harbour of *St. Eustatius*, besides those formerly seen there.

I have the honour to be,

SIR,

Your most obedient and most humble servant,

THOMAS FRASER,  
Brigadier-General.

Nov. 28th, 1781,  
*Brimstone-hill*, *St. Kitt's*.

*Capitulation of Demerary and Essequibo, between Count KYSANT, Commander in Chief of his Most Christian Majesty's forces employed on this expedition, and ROBERT KINGSTON, Esq. Lieutenant Governor of Demerary, Essequibo, and BERBICE, and Captain WILLIAM TAHOURDIN, Commander of his Britannic Majesty's Squadron.*

#### PRELIMINARY ARTICLES.

The inhabitants of the colonies of *Demerary* and *Essequibo* shall enjoy the privileges granted to them by the capitulation of *Sir George Rodney* and the *Hon. General Vaughan*; that is to say, they shall keep their own laws, customs, and civil offices, until their King's pleasure; they shall keep entire possession of their property, and that all the effects, stores, moveables, estates, and slaves belonging formerly to the *Dutch West India Company*, shall be given over to the officers of his Most Christian Majesty.

That the inhabitants, after taking the oath of allegiance to the King of France, will enjoy, from that moment, all the privileges and protection granted to French subjects, that they will have a free communication with France and the colonies dependent on that crown: but

but being willing to treat still more favourably the colonies inhabited by our allies and countrymen; and to make up as much as possible the loss they have already sustained; we do allow them,

ARTICLE I. The colonies of Demerary and Essequibo will enjoy the liberty of trade with all nations (except the British) in conforming themselves to the duties of exportation to strange nations used in the French Islands, until a peace.

That the Dutch flag shall enjoy the same favours of the French, Spanish, and United Provinces; they shall be favoured in all that depends from government until a peace.

III. In reprisal of the capitulation of St. Lucia, which dispenses the inhabitants *paying their debts to France until peace*, we authorize likewise the inhabitants of Demerary and Essequibo *not to put their debts unto his Britannic Majesty's subjects until that event takes place.*

IV. That the inhabitants of the two rivers will be admitted to give any representations directly to the Governor for the King by the way of deputies, which they will not be at liberty to effect, until they have obtained liberty to assemble both on whatever concerns the interest of the planters, with regard to the present situation of their affairs, as likewise with regard to the real conveniences of their present situation.

V. All the inhabitants of the said colonies will be obliged to engage themselves by oath when they take that of allegiance to his Most Christian Majesty, to name within twenty-four hours after the proclamation of this capitulation, whoever does still keep intercourse or correspondence, conveying intelligence, or information to the common enemy, on pain of being involved in the same punishment with the culpable, who, without any other law than the pre-

sent article, will carry along with it the confiscation of his goods, the imprisonment of his person, the loss of his life, according to the nature of the treason.

VI. The civil officers will be obliged, in the space of three days after receiving notice thereof, to deliver over all the papers concerning the collection and receiving of their taxes, their distribution and expences, they shall represent to the officers thereto appointed the old and new inventories, and there shall be one made that will fix the present state of affairs; they shall likewise be obliged to prove the use that has been made of the taxes since one year. The arrears due to his Britannic Majesty shall belong to his Most Christian Majesty, and make part of his revenue, as likewise all the property belonging to his Britannic Majesty, in the colonies of Demerary and Essequibo, whereof the state must be given in by the said officers, signed by the Commadore P. Van Schuylenburg and the Secretary of Demerary, and the Governor Trobz and the Secretary of Essequibo.

VII. That Robert Kingston, Esq. Lieutenant Governor of Demerary, Essequibo, and Berbice, nor the inhabitants of the said colonies, shall enjoy the privileges of this capitulation, until we have possession of the forts and colony of Essequibo, to whom we allow the same terms of capitulation.

We summons likewise Robert Kingston to capitulate for the river Berbice, where he has until now exercised the supreme authority, as representative of his Britannic Majesty.

*Proposals of capitulation from ROBERT KINGSTON, Esq. Lieutenant Governor of Demerary, and Captain WILLIAM TAHOORDIN, Commander of his Britannic Majesty's ships and vessels, to Count*

KYSAINT,

**KYSAINT, Commander, in Chief** of his Most Christian Majesty's forces both by sea and land, employed on this expedition.

The Lieut. Gov. proposes,

**ART. I.** That the inhabitants and all British subjects in the colony of Demerary, shall have the same terms of capitulation, as were granted, to the said colony by the British Commander in Chief, Admiral Sir Geo. Rodney, and the Hon. Gen. Vaughan, namely: The inhabitants to remain in full possession of their property, and to be governed by their present laws.

**II.** That all vessels and dreggers in the river, and what produce may be now on board of them, the property of the inhabitants, may remain to them.

**III.** And, that all merchants, traders, and others, be allowed six months to collect their debts, and settle their affairs, according to the 15th article of capitulation for Tobago, hereto annexed.

**IV.** The same indulgence to be allowed to the civil officers not exceeding four in number.

**V.** The inhabitants or others residing in the colony, if they chuse it, to have leave to remove with their effects, to the English Islands, or to Great Britain.

**VI.** The Lieutenant Governor for himself requires, that not, having troops with him, he may be considered in a civil capacity, and at liberty to join and do duty with his Britannic Majesty's 28th regiment, of which he has the honour to be Lieutenant-Colonel.

**VII.** The Lieutenant Governor to go to Barbados, and from thence to England on his parole, to retain his side arms and private property, and neither his baggage nor papers to be searched or inspected; he is to take his servants with him.

**VIII.** Captain William Tahourdin proposes, that himself, with the

Captains and other officers of his Britannic Majesty's ships and vessels, together with their servants and baggage, be conveyed from thence to Barbados in the Rodney, as a cartel, as soon as possible, and to be upon their parole, to have permission to go from thence to Great Britain: the Rodney to be sent back to this river with all dispatch.

**IX.** After having delivered up their side-arms to the King's officers that are to command the British squadron, they shall be restored to the Captains and other officers, but no other arms shall remain in possession of the King of England's subjects, who are considered from that moment as prisoners of war. The English baggage shall not be searched, except the provisions and merchandize, if there is any, found amongst the baggage; therefore they will be inspected on their embarkment.

**X.** Granted.

**XI.** There will be a cartel ship allowed to transport the English prisoners to Barbados; but the time of its departure cannot be fixed at the same time as that of the officers; but it will be as soon as possible.

**XII.** Refused.

**XIII.** Referred to the fourth article of the preliminaries, and to the answer on the third article of the proposed capitulation.

**XIV.** Granted, on condition that the shipping will be given up in good order, and in such condition as when navigated under colours of his Britannic Majesty.

All the foregoing articles, so be literally interpreted, and faithfully observed.

Signed at the Friendship Plantation, in the River Demerary, the 3d day of February 1782.

KYSAINT.

Answers to the Articles proposed by  
ROBERT KINGSTON, Esq. Lieutenant-Governor of Demerary and Essequiba.



*Essequibo, and Captain WILLIAM TAHOURDIN, Commander of his Britannic Majesty's ships and vessels.*

ART. I. Answered in the preliminary articles.

II. That merchant ships lying in this river will be looked upon as English merchants and good prizes, and the merchandize they are loaded with will be looked upon as the produce of the sale of their cargoes from Europe, as it is well known the commerce here is carried on by way of exchange—the country crafts which really belong to the inhabitants are excepted.

III. The nature of the business, and the behaviour of those who have any in the colony, will limit the length of time that government will allow to strangers that desire to stay.

IV. After the King's officers have taken inspection of the aforementioned business, the government will fix the time of stay that will be thought necessary for the said business.

V. Every inhabitant is at liberty to go whether they please, after fulfilling the obligations imposed according to the law; I can make no exception in favour of Great Britain or the English islands, as it will be no more allowed to go there or any where else until they have fulfilled their engagements.

VI. Lieut. Governor Kingston having retired himself to his Britannick Majesty's squadron, from whence he has made his particular proposals which were rejected, I cannot but consider him in a military capacity, jointly with the commander of the squadron.

VII. Granted.—Robert Kingston, Esq. not having fixed a time in his request for his departure, I think he is disposed to go along with Captain Tahourdin.

VIII. Granted.

IX. The officers to keep their

side-arms, and all the officers and seamen to remain their private property; neither baggage nor papers to be inspected.

X. The Captains and officers to remain with their servants and baggage on board the *Oromooko*, which ship is to be appropriated to their use, and they to remain there until the *Rodney* is ready to convey them to Barbados.

XI. The inferior officers and seamen belonging to his Britannic Majesty's ships and vessels, to be sent to Barbados in proper vessels to be appointed for that purpose, and an equal number of French prisoners being given in exchange as soon as possible; the above vessel or vessels to sail from hence to that island in company with the *Rodney*, the bringing to this river the French prisoners that may be then at that island of Barbados.

XII. The sick to be accommodated with a proper vessel for their sole use, to carry them to Barbados.

XIII. All masters of merchant ships to be allowed three months to collect their debts and settle their affairs.

XIV. His Britannic Majesty's ships and vessels, under my command in this river, to surrender to his Most Christian Majesty's forces now in the river under the command of Count Kysaint in the following manner: that when the two brigs (composing part of the squadron under the command of Count Kysaint) one carrying 20 twelve pounders, the other 6 twenty-four pounders, and an eight-inch mortar, appear in sight of his Britannic Majesty's ships and vessels at their present anchorage, they shall each discharge their cannon and musquetry, and strike their colours.

All the foregoing articles to be literally interspersed, and faithfully observed.

Signed at the Friendship Plantation,

tion, in the river, Densgry, the third day of Feb. 1782.

ROB. KINGSTON,  
WIL. TAHOYDEN.

*Nottingham County Meeting*

At a Meeting of the County of Nottingham, held at the Moot Hall, in Mansfield, on Monday the 28th of October, 1782, by call of the High-Sheriff,

The Right Honourable Lord GEORGE SUTTON in the Chair, I

The following petition was unanimously agreed to:

*To the Honourable the Commons of Great Britain, in Parliament assembled,*

*The humble petition of the Nobility, Gentlemen, Clergy, and Freeholders of the County of Nottingham,*

SHewETH,

That from whatever causes the inadequate and disproportionate representation of the Commons of this realm may have arisen, it is an evil of a very high magnitude, which has not been less injurious to the past, than it is dangerous to the future interests of our country, and which we trust it will not be thought unworthy the wisdom and virtue of this Honourable House to reform.

To this wisdom and virtue we respectfully confide the reform; but it is our earnest petition that no delay may be admitted in taking this grievance into the serious consideration of this House; at the same time we submit to the judgment of this Honourable House, the present state of the duration of Parliament, trusting that this Honourable House will provide such a redress as may diffuse a general satisfaction, restore the purity of this Honourable House as the true representative of the people, and do away every suspicion which weakens their confidence in the united legislature of the nation.

And your petitioners will ever pray.

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Resolved, That when this petition has been circulated in the county, in order that it may receive the signatures of the Nobility, Gentry, Clergy, and Freeholders, it be presented to the House of Commons, either by the members of the county, or by one of the members of Parliament present at this meeting, or by Frederick Montagu Esq.

Resolved, That the thanks of this meeting be given to the Right Hon. Lord George Sutton, for his ready acceptance of the chair, and his attention to the business of this day.

Resolved, That the thanks of this meeting be given to the Right Hon. Viscount Galway, not merely for his concurrence with the petitioners, but particularly for the generous example of yielding his personal interests to the views of this petition.

Resolved, That the thanks of this meeting be given to the Right Hon. the Earl of Surrey, to Sir George Savile, and to the other members of the House of Commons, who have honoured this meeting with their presence, and so powerfully enforced the justice and wisdom of the petition.

Resolved, That this meeting be adjourned, subject to the call of the Chairman.

Resolved, That the proceedings of this meeting be published under the signature of the Chairman.

Geo. SUTTON, Chairman.

The company assembled at the Moot-Hall, in Mansfield, about twelve o'clock, pursuant to the advertisement of the High Sheriff. The business commenced with a motion of John Gilbert Cooper, Esq. inviting the Right Hon. Lord George Sutton to the chair, as the High Sheriff had not thought fit to give his personal attendance. This motion, seconded by Launcelot Rolleston, Esq. was unanimously approved, and his Lordship took the chair; from which he informed the company,

X x

company, that they were called together to determine upon the propriety of presenting a petition to Parliament, to take into their consideration the defects of the present representation of the Commons, at the same time to recommend to their attention the duration of Parliament.

Lord Viscount Galway then addressed the meeting, observing that the advertisement of the High Sheriff determined immediately his attendance, as he thought it the duty of every gentleman to be present at a public meeting, properly summoned, that he might in a manly way give his assent or dissent to the subjects of their deliberation. That he had come to Mansfield, ignorant of what might be the specific propositions of these gentlemen who had signed the requisition, but decided as to his own conduct, that if the propositions should not meet his ideas of propriety, he should publicly testify his disapprobation; as it was his opinion, that a silent acquiescence in the measures of a county meeting, implied the approbation of those who had not opposed it. He was happy however in assuring the meeting, that the objects of the petition, which would be proposed to them, had his entire and cordial approbation. It was conveyed in terms of decency and moderation, it was clear and precise, and it expressed a proper respect to those whom it was addressed to. It was on a subject of high importance, and which perhaps hardly needed discussion to meet the approbation of the whole Assembly. It was no party business, he was himself no party man, nor any way connected with any body of public men. He acted from his own views of public measures, and by those should his conduct ever be directed. He was sensible that the House of Commons was not such a representation of the people as it ought to be; and though his own interests might be

much affected by the reform which was in view, yet would he not suffer private motives to stand in the way of what was essential to the constitution, and necessary to the safety of the whole. He wished the people of this country to have what was their undoubted right, a pure representation, unmixed with other influence. It behoved Parliament to attend to this right, and therefore the prayer of the petition was reasonable, and must approve itself to all.

His Lordship then read the petition.

Mr. Dickenson Rastal being then called on by the Chairman, said, that not doubting but so good a cause would have been supported by a multitude of abler advocates, he was rather unprepared; but, however, that his sentiments, such as they were, he would trust to the indulgence of the meeting in the language of plain sincerity. He then commented on the success of their former petitions, which, notwithstanding the prognostications of some, and the apprehensions of others, had produced no violence or commotions, but had merely driven from the administration of the kingdom a minister grown old in political sin, and strengthened by experience in the science of corruption.—He said, they did not wish to alter the constitution; they only wanted to bring it back to what it was before. Influence was a science, and parliamentary suffrages a merchandize. He observed, that for the sake of unanimity, they had confined their petition to one object, but that his wishes went to others, particularly the duration of Parliaments, and the custom of granting private benevolences to the crown before the sanction of Parliament had been obtained, which might soon raise it above the assistance of the Commons. After stating the grievances of the nation,

station, and concluding in the words of a noble author, that if they were not redressed, the time would soon be at hand, "when Britain must perish with her degenerate sons."

He proceeded to obviate the objections which had been made to the petitioners. He said that at first they were taxed with such democratical notions, as nothing but ill humour could suggest, and nothing but absurdity itself believe. That now the cry was, they were no party, that by a party the closet had been stormed, and that they wanted to rule the kingdom by party. What was party? they knew what it was to have an administration without party, it was to lose one half of the empire, and to disgust the other; it was to raise jealousies between the King and his people, and a thousand other evils. Party, he said, he understood to be concert in council, unanimity of professions, identity of objects, and concurrence in operation.

Mr. Heywood then addressed the Chairman, said, that such was the obvious necessity of a reform in the constitution of the House of Commons, that it needed not much ingenuity to produce arguments in favour of any measure which might lead to so desirable an end. He asked, to what our present degraded state, as a nation, was owing, but to the unwise and criminal conduct of Parliament. To this must be referred the commencement and the obstinate prosecution of a war, which had been productive only of calamity and disgrace, an issue which could not have been experienced if the collective wisdom and virtue of a free people had entered into the legislation.—This was proved from fact; for who were the constant supporters of our mad politics, but the members for decayed boroughs, the representatives of a mere handful of electors, who generally had no

choice at all, while the wisdom and virtue of opposition had been found in the county members, and the representatives of large and populous towns, where a free choice in a great degree resides. And if this free choice prevailed in any considerable degree, would it ever be that men would be sent to Parliament, to take care of the national interests, who were marked for indifference to every interest but their own? that young men would be sent to Parliament, in which they were to learn to be wise, not to impart and communicate wisdom, already acquired? that any would be sent to Parliament merely to partake of the privileges which it affords its members? and yet one, or all of these, constitute the views of many who have obtained seats in that House. He concluded with recommending it as the duty of every one to aim at that regulation which the source of our misfortunes pointed out to them. We might then hope that our national counsels would be distinguished by wisdom and disinterestedness, instead of folly and selfishness.

At this period Sir George Savile being respectfully desired to communicate his sentiments, he readily complied, but observed, that it was almost unnecessary, his decided opinion of the representation of this kingdom, being, he presumed, so well known, as to leave no one ignorant of it. Indeed it was to him a question so plain, so self-evident, as in the very stating of it to the mind, to carry conviction with it: if representation had any meaning, the present state of Parliament, as the representative of the Commons, was an absurdity, a contradiction to the very terms; it was not representation; it was misrepresentation. There could not he thought be two opinions upon the subject. And as it was absurd and contrary, so it had been full of mischief, or, as the petition

petition had happily stated it, it had been as injurious to the past, as it was dangerous to the future interests of the people. In very strong, in very pathetic terms, which the compiler of this account cannot do justice to, he deplored the ruined, humiliated state, to which this radical defect in the representative body had reduced the kingdom. Perhaps the warmth of a truly patriot mind, the indignancy of a generous spirit, led him to speak too severely of the consequences. The present endeavours of the people to stay the progress of the ruin were, he feared, to use a trite phrase, like fastening the door when the thief was stolen, or, as if a physician should order an alternative, when his patient was dying of an apoplexy. As no hope however could originate from any other source than the reform in view, he could entertain no idea of a different opinion, but he was glad that the two objects of the petition, viz. the reforming the representation, and shortening the duration of Parliament, were separated from each other, and did not stand in the very contemplation of the petitioners on the same ground. The necessity of a reform in both did not even to himself appear equally clear, and though to both he could conscientiously subscribe, yet many, who were sanguine friends to the first measure, had more than doubts with respect to the latter, and might have been repelled from signing the petition altogether, if the petition had been so framed, as to require an equal assent to both. The one therefore, to which no man could frame a decent objection, was the body and soul of the petition. It was the subject of clear, unambiguous, decided request; the other, with whatever doubts and differences of opinion were annexed to it, was submitted to the sober deliberation and judgment of Parliament.

Mr. Walker next claimed the attention of the meeting, but in a different view of the subject. He wished rather to obviate objections, than to add any thing to the unanswerable arguments by which the propriety and utility of the petition had been enforced. Many specious objections had been and would be urged to divert the minds of the people from the salutary object of their petition, that it was a novelty, a moulding the constitution anew; that if wise and right in itself, it did not meet the present temper of the kingdom, and being merely the speculation of a few, would only divide the nation in a moment, which of all others asked the united aid of every heart and hand, and that it would unnerve the executive power, by weakening the dependence of administration upon the Commons, from whom the supplies of government were to be received. To each of these objections he proposed to answer in their order.

The first, viz. The object of the people's prayer was an absolute innovation, appeared to be a formidable objection; but he trusted that a little attention to the origin and progress of our singular constitution, would shew the objection to be wholly unfounded, that the evil complained of in the petition was itself the thing abhorrent and strange to the ideas of Englishmen, and that the redress petitioned for was simply a renovation. If this could be clearly shewn, it could not fail to reconcile the minds of every one as to their old habitude and right. But as this was a matter of historic evidence, he presumed that he should not affront his audience, in giving them a brief abstract of the rise, progress, and discriminating spirit of the English constitution, as no unnecessary information to many whose situation in life might render so useful a knowledge not easily accessible

cessible to them. He asserted, that the actuating principle and virtue of the English constitution, was derived from, and founded upon, the primæval rights of human nature, upon the sense, conviction, and invariable exercise of these rights with our early ancestors, to which their being secreted for ages from the knowledge of the dangerous resentments of more polished European nations had principally contributed.

That passing from the east along the tract of northern Europe, and uncontaminated with the servile maxims of aristocratical and monarchical government, to which the southern regions had long been habituated, they had descended into the rich provinces of the Roman empire, and imported with them wherever they established themselves, the liberal spirit by which society had till that moment been conducted amongst them. This spirit consisted in the equality of all, equality of rights, and that, in this view, every member of the community stood upon the same ground. Whatever distinctions, particular exigencies might require, they were distinctions of utility, artificial arrangements for a common good, often abolished when the exigence ceased, but never subversive of the primary, the fundamental right to property, to liberty, to legislation, to life in all. Kings were originally but the leaders of their military expeditions, and Barons, subordinate chieftains under them, instituted to serve the purposes of the state, dependent for their very existence and authority upon the will of the state, controulable by, and accountable to the state, and which the necessities of the state, in its lengthened struggle for dominion with the natives of the Roman provinces, rendered permanent establishments. The state consisted originally in the assembly of the whole community, in whom re-

sided the supreme power, and in which was combined, the military, the legislative, and often the judicial and executive character. But when the resistance of the natives was utterly subdued, and they were reduced to the condition of villainage or slavery, the necessity of convening the whole community, in their military character, no longer existed, and the inconvenience of general assemblies rendered it expedient to provide some other mode of discharging the legislative duties of the state. To the greater chieftains or barons, a personal attendance was rather an honour than an inconvenience, while the lesser barons, who with the greater were all originally pares, peers, or equals, were permitted to appear in the great assemblies of the nation, by their representatives or proxies. In the collective assemblies of the whole community, is seen the origin of Parliament at all, in the latter institution the first distinction of two orders in Parliament, viz. the greater Barons or Lords, who sat in person, and the representatives of the lesser Barons, who are now the Knights or the Representatives of counties. In this character Parliament continued for many years, till the contests between the greater Barons and the Monarch, and the advantages of commerce to both, introduced a further change, a new species of Representatives in the great Parliament of the nation. The frequent necessities of the Monarch invited him to emancipate the villains or slaves on his own Royal domain, by incorporating them with certain privileges, to erect them into the character of freemen; from this institution the Monarch derived their personal service in his wars, and pecuniary aids from that wealth which their privileges and the exercise of commerce soon acquired to them.—This example, so advantageous to the Monarch,

narch, was followed by the Barons, and corporations increased through the whole kingdom. The convenience of receiving from them grants of money, procured their summons to Parliament by their Representatives; the increasing number, wealth, and power of this new order of freemen, taught them their own consequence, and the necessities of the state gained them a full admission to all the rights of legislation in Parliament, and set them upon a level with the representatives of the counties. Thus we perfected the form of the English Parliament, when to the representatives of the counties were added those of the boroughs or incorporated towns, at present styled the citizens and burgesses. The liberal spirit of Christianity co-operated with the utility of the state, and silently did away the very idea of a villain or slave. Thus whatever entered into the full idea of a freedom, whatever was of the essence of his rights in the first constitution of the invading nation, was extended to every freeman, and of these rights, that of legislation, either in person or by their representative, was a primary and fundamental one. The neighbouring nations had originally the same constitution, the principles from which the form of English government had its source, but not availing themselves of the same circumstances, they acquired not the same enlargement, the same security in the representation of the Commons at large, against the encroachment of power; and they have fallen, as we behold them, from a state of the highest freedom into an abject dependence on despotic Monarchs: An awful example to these kingdoms, to our nobles, with all the fancied dignity of power, as it is not in human nature to provide a solid bulwark against the continual operating advantages of a crown, unless in the spirit, the freedom,

the equal rights of the people. But what he wished his audience to collect from the whole review, was this simple, this great principle, that legislation, either in person or by representation, is the equal, the common right of all, that it is inherent in the very idea of an English freeman, that it was imported into this island with our early ancestors, that the grant which embraced fellow-men as freemen, communicated this right, and that as all are now free, it is communicated to all. The inequalities of this common right which have taken place, and which the petition aims to redress, have been created by inattention, by accident, by abuse, but do not issue from the spirit or regular usage of the constitution, and have greatly risen to their present dangerous height, against the very intention of the present constitution, from those changes which could not possibly have been foreseen. It was the convenience of the Monarch which first erected slaves into corporations of freemen, and summoned them to Parliament. Hence arose to the crown that dangerous prerogative, which was too long permitted, of summoning representatives to Parliament from whatever place it pleased. This was one source of unequal representation, which the wisdom of Parliament has indeed guarded against in future, but too late to prevent the evil consequences. When it intercepted the further exercise of this prerogative of the crown, it ought to have pursued the spirit of this reform, it ought to have rectified the abuses which the prerogative had already established. Similar inequalities have taken place from the creating of corporations by the Barons on their separate estates, which through their influence obtaining a summons to Parliament, the absolute property of these Boroughs has been

conveyed

conveyed with the estates to their successors. Another, and perhaps the most fruitful source, has been in the changes and revolutions which the lapse of time has produced. Great and populous towns have vanished as it were from the face of the land, and have hardly any existence but upon paper, yet the right of representation continues, though the very cause and reason of representation has ceased. While the very same time, and fluctuations of commerce, have created many more towns of the first rank and consequence in the kingdom, to which no representation has been extended. Thus, in whatever view we contemplate the spirit and design of our constitution, we see clearly that the prayer of the petition has nothing of innovation, nothing strange in it, nothing but what the very idea of Parliament embraces and intends, nothing but what is essential to and inherent in the rights of freemen, and that the greatest abuses in the representation are contrary to the very designs of our ancestors themselves, unwise and improvident in many instances as these ancestors have been. It has ever been deemed an excellence in our constitution, that there was resident in it the power and virtue of recurring to its original principles, whenever it shall be found to have dangerously degenerated from them; and if a government mean well, it would be absolutely suicide in it not to rectify abuses, which mere accident, time, or corruption, have introduced, and which, if not redressed, threaten to destroy all its character, and all its well being.

Having removed the imputation of novelty in the redress which the petition prays for, Mr. Walker next adverted to the second objection, that however wise and right in itself, it did not meet the present temper of the kingdom, but would only

disturb, divide, and distract the nation, in a moment which required all its union. But let these men, whoever or of whatever rank they be, withdraw each their individual opposition, and the objection falls to the ground. Allowing the right, the wisdom, and utility of the petition, they themselves should not swell the number of its opponents, an objection confessed to be founded in mere obstinacy and perverseness, in a refusal of public good; should not lie at their door; every fellow subject who will not accord with the petition, should meet the friends of it on the ground of constitutional right, of national utility, and when all manly and virtuous reply fails them, it is a crime of the highest form not to be a friend, nor to take a decided part in the cause of truth and right. It is not a rash and passionate censure to affirm, that with a silent acquiescence in the right and utility of the petition, no good motive is at the bottom of that mind, which still continues to object to it, and throws any difficulty in the way of its success. The question between the friends and the enemies of the petition is reduced to a short issue. Its friends plead the justice, the wisdom, the expedience of the measure, the horrid experience of past mischiefs, the well-founded apprehensions of growing evils from the same malignant source. Let the enemies of the petition stand forth in the face of their country, and shew that it is not just, not wise, not expedient; that the abuses complained of have not been disgraceful and ruinous, and have not any ugly aspect on the future; let them shew this, or continuing a silent and sullen opposition, let them abide the consequence; the imputation of having renounced in this instance all the obligations of a citizen, of a well-wisher to the public good. It is with men of this complexion that the true



true difficulty rests, they are the authors of the opposition, with them lies all the crime of dissension; but whether timidity, a spirit of no English hate, or views which are not fit to be owned, create and support their disaffection, it becomes them to know that an Englishman cannot respect an opposition so founded, that the timid, the illiberal and the selfish, are the enemies whom he expects to meet with in the field of all his virtuous contests. But it is lastly urged, that the reform, if it should be adopted, will unnerve the executive power, by undoing that influence, that ascendancy of administration over the House of Commons, which is pleaded to be necessary to government. But if the plea fail, the reform ought not to be resisted on this ground. This is the last refuge of the enemies to a parliamentary reform, and in the supposed strength of which I verily believe many are really deceived. But a definition of terms, particularly of the government, to which an unconstitutional influence is necessary, may contribute to undeceive them. It is undoubtedly necessary to a government which respects not the popular opinion, but this is not, or ought not to be the government of England; and if it be, is the very strongest reason why an influence of so cursed a nature should be utterly extirpated. Some ambiguous, and covert phrases require to be turned into plain English, in order clearly to understand them. In plain English then, a decided majority of the Minister in the House means, that it should be the Minister's house, not the House of Commons of England, and whether this be an honest, virtuous, and salutary English maxim, I think may be left to the effrontery of our boldest enemy to say. What! a majority, prepared, disposed to carry through the Minister's measures; sworn, bound, and passive to his will, without regard to the good

pleasure of the people, by whom, and for whom they are or ought to be! No! the constitution means the Minister, no such majority, it abhors it, and no utility of a wise and virtuous government requires it. No majority in the very idea of that house is intended, but what the wisdom, honesty, and patriotism of the Minister's conduct deserves, and ever will procure to him. Let a Minister stand forth, and answer for, this to parliament and to the people, and every one may answer with his life for a triumphant majority, without the intervention of troublesome, illiberal, and dirty intrigues. Let any one for a moment conceive a Parliament in factious opposition to such a Minister, and, almighty as it may presume itself to be, he will soon perceive that there is an almightier power, which will controul and convert it to the public good. Standing in the midway between the crown and the people, and disowned, unsupported by either, Parliament would feel the awe of that constitutional spirit, which is the secret stay and security on which the fabric of our government rests, which has and I trust will save it to the most perilous encounters. This is not idle theory, it was verified by the conduct of the greatest and honestest Minister that England ever knew. Called to the helm by the dangers and necessities of the state, he had no interest at Court or in Parliament, but with a virtuous magnanimity he courted neither, he left it to his conduct to justify himself to both. The honest spirit of his Prince relaxed from its prejudices, but Parliament, turned out of its habit and course, never was cordial to him, yet it dared not to check him in his career of glory and of usefulness. This saved the Minister a world of trouble, and it did his country a world of good. But as this pleaded necessity of ministerial influence vitiates Parliament, and turns it into a direction

tion contrary to its genius, so it is of the most dangerous tendency in another view, which has, never, I believe, been adverted to. The power in the House of Commons of impeaching a bad Minister, whose crimes no other form of justice can reach, has ever been remarked as one of the happiest guards of our constitution. But this power is a mere nullity in the present management and habit of Parliament. Master of Parliament, what has the Minister to fear? Will the servant raise his voice against his bountiful Lord? Will the injured and insulted people find a protector, an avenger in the confederate of the Minister's crime? nor will a change of administration revive the avenging genius of the constitution. Ministers standing in the same predicament, and having the same to fear for themselves, will have a tender sympathy for each other, nor will a Parliament, still disposed to corruption, throw discredit on the trade by the punishment of its past corrupters.

He concluded with hoping better of the future prosperity than some of its wisest and best friends dared to flatter themselves with. But nothing assuredly could affect this, unless a renewal of the Constitution. A languid and sickly frame, either in the individual or politic body, could promise no vigorous and well prosecuted exertions. The character of the people must die with that of their government, but might still flourish with that of the revival. The ruin, from whose brink it was so frightful to look down, had issued from the abuses which the petition wished to rectify. And as England, previous to the existence of her colonies, had risen to her height of greatness, from the inexhausted resources of her free and manly government, she might, from the same actuating spirit, repossess and maintain her rank among nations. All depended upon the virtue of the people.

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Lord Surrey closed the debates with an address, which conveyed singular satisfaction to every hearer. He apologized for addressing the meeting at all, as indeed, he was not a freeholder of the county; but he trusted, that the honour of a long connection with the county from residence and property, which his family had enjoyed, would excuse him; that he should not be deemed an intruder in presenting himself before them, in expressing his warmest approbation of the measure, though a sense of propriety repelled him from signing the petition. It afforded him the highest pleasure to behold a perfect unanimity on so important a subject, but the business ought not to rest with their present act; they would but partially serve the cause in which they had so laudably engaged, if they did not accompany their individual signatures with their most active exertions. They must address themselves to their countrymen, persuade, exhort, inform, and use every honest means to give weight to their petition in Parliament, by procuring to it a large and general approbation. They were not to flatter themselves, that it would not be opposed, the face of unanimity in the present meeting should not inspire in them a dangerous security. It would be opposed, powerfully opposed; not only by those from whom nothing better was to be expected, by the friends and supporters, in and out of Parliament, of the late ruinous administration; but he was sorry to add, by some of the most respectable characters, who had hitherto been the fast friends of the people and the constitution, and whose opinions would derive a weight from the reverence which their past conduct had won them. Whether they were warped by an interest in those boroughs, which might be affected by the petition, or a tenaciousness of certain speculative notions which they had adopted, he would not de-

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cide, as they were not present to answer for themselves; but such were the opponents whom they were to resist, and resist with all the force of argument and solicitation. He believed the county of Nottingham had not the sin of one private borough to answer for; he wished it were equally free from all imputation of corruption and vitiating influence; but if gentlemen thought differently from the petitioners, he wished they had been present to have urged their objections. The meeting was in the face of day, and of the county, and this would have become them as men and citizens. The reform was necessary in a striking view, as not only Lords and Ministers, and Asiatic plunderers, might invade the appropriated rights of the people, but even a King of France might, at the price of five thousand pounds a borough, send representatives of himself to the Commons House, and command an ascendancy in a British Parliament. The practicability of such daring outrages issued from the horrid state of representation. If the electors of every borough consisted in a number of British freemen, such attempts would not even be conceived. He praised Lord Galway for

the disinterestedness of his conduct, in being superior to the temptations of his borough interest, when the interests of his country called for his approbation and support. If in the issue of the business he should be thrown on the affections of his country for a seat in Parliament, which at present he held as by his own right, a grateful country could not fail to make every handsome return. He concluded with recommending the subject of the petition to their best affections; there was a spirit and vigour in the constitution, which, as the last speaker had observed, would awe even the legislature in great occasions; and if the people, with a firm and manly tone, called for justice, they must obtain it.

The unanimous approbation of the petition followed Lord Surrey's speech, when after some resolutions, which may be seen in the advertisement, Lord George Sutton closed the meeting, with thanking them for the honour they had done him in calling him to the chair, and assuring them of all the support which, either as a citizen or a member of Parliament, he could give to the prayer of their petition.

*York Tavern, Oct. 31, 1782.*

P R E S E N T,

*At a MEETING of the COMMITTEE of ASSOCIATION for the COUNTY of YORK,*

Reverend Mr. W Y V I L L, Chairman.

Rev. Mr. Mason,  
Sir James Norcliffe,  
The Dean of York,  
Mr. Duncombe,  
Mr. H. Duncombe,  
Mr. P. Milnes,  
Mr. James Milnes,  
Mr. R. S. Milnes,  
Sir Charles Turner,  
Mr. Shore,  
Mr. Edmunds,  
Mr. Tooker,  
Mr. Walker,

Rev. Mr. Robinson,  
Rev. Mr. Shuttleworth  
Mr. F. Smyth,  
Mr. Woolrich,  
Mr. Saltmarsh, jun.  
Sir R. D. Hildyard,  
Mr. Battle,  
Mr. Booth,  
Mr. Wilton, of Ayton,  
Mr. Jackson, Normanby  
Mr. Stovin,  
Mr. Stansfield,  
Mr. R. Wilson,

General Hale,  
Rev. Mr. Dixon.  
Mr. Rawson,  
Mr. Strickland, Boynton  
Mr. Sykes,  
Mr. Craddock,  
Mr. Marriott,  
Mr. Yorke,  
Mr. Logard,  
Rev. Mr. Cayley,  
Mr. Challoner,  
Mr. Morritt,  
M. G. Elmsley,  
Mr. Croft,

Mr. Croft, jun.  
Mr. Dring,  
Mr. Danby,  
Mr. Athorpe,  
Mr. Mathews,  
Mr. J. Milnes, jun.  
Mr. Childers.  
Mr. Courtney,  
Mr. Croft,  
Mr. Withers,  
Rev. Mr. Croft,  
Mr. Poljambe,

Mr. Micklethwaite,  
Col. Thornton,  
Mr. Lafcelles,  
Mr. Place,  
Mr. Dalton,  
Mr. St. Quintin,  
Rev. Mr. Comber,  
Mr. Anderson,  
Mr. Yarker,  
Rev. Mr. Yarker,  
Mr. H. Thompson,  
Mr. Hayes,

Sir George Strickland,  
Rev. Mr. Bourne,  
Dr. Swainston,  
Mr. Grimstow,  
Dr. Spencer,  
Rev. Mr. Wilk. in sen,  
Sir William Miller,  
Mr. Hill,  
Mr. Arthington,  
Mr. Maude,  
Rev. Mr. Dealtry.

Unanimously resolved, That the following advertisement be printed in the York and London papers.

*To the FREEHOLDERS of the County of YORK.*

Whereas at a general meeting of the county of York, held by adjournment at York, on the 28th day of March, 1780, for the purpose of adopting a plan of association, It was resolved, That the said meeting should be further adjourned, subject to a call by the Committee of Association:

They whose names are hereunto prefixed, being members of the said Committee, assembled in York this day, do by virtue of the aforesaid power invested in them, earnestly request the Freeholders of the said county to meet at the Assembly Rooms in York, on the 10th of December next, at eleven o'clock in the forenoon, in order to receive an abridged report of the whole proceedings of the said Committee since their original appointment; and also to take into their mature consideration the necessity of presenting a petition to Parliament during the course of the next sessions, for a redress of that fundamental grievance, the unequal representation of the people, and other important matters respecting the reformation of Parliament.

*London, Oct. 28, 1782.*

The following petition and memorial from the maltsters, brewers, distillers, of the home counties, has

been presented to his Majesty, and the Cabinet Council, by Samuel Whitebread, Esq. member for Bedford, and three other gentlemen concerned in those extensive branches.

To the KING's Most Excellent Majesty,

The petition and memorial of the brewers, maltsters, and distillers, whose names are hereunto subscribed, on behalf of themselves and others, the numerous inhabitants of the several adjacent counties to which London is the port.

*Humbly sheweth,*

That by the incessant rains with which it hath pleased Almighty God of late to visit this nation, the corn lands at the seed time were in such a state, as in a great part to be incapable of being sown with barley, and such grain as went into the ground was sown in a very unfavourable condition; that by the continuance of the rains the barley harvest has been, in a great measure, destroyed, or so spoiled, as to render it unfit for the purpose of being made into malt, by which severe affliction there is not a sufficient quantity of barley in Britain for the consumption of the year, and that which remains is so advanced in price, that instead of being sold at twenty shillings per quarter, the average price of the last seven years, it now bears the enormous price of 34s. and 35s. per quarter.

That by an act passed the twenty-  
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first year of his Majesty's reign, entitled, "An act for the further regulating and ascertaining the importation and exportation of corn and grain within several ports and places therein mentioned," your petitioners were prevented from applying to the last general quarter-session, to have the port of London opened for the importation of foreign barley, as the said act impowers the quarter-sessions to open the said port only, when the average price for thirteen weeks shall be 24s. per quarter or upwards.

That although the current prices now are from thirty-four to thirty-five shillings per quarter, yet the average price, from the quarter-sessions in July to the last sessions, did not exceed nineteen shillings per quarter.

That if your petitioners defer their application to the next quarter-sessions, the Baltic, from which alone they can hope to draw a supply, will be frozen up, the season for making malt will escape, and the consequence of this cruel, partial, and impolitic provision, which operates only on the ports of London, Essex, and Kent, will be, that the brewery and distillery of the home counties, in which an immense property is vested, and many thousands of your Majesty's subjects employed, will be totally stopped, the revenue will be materially injured, and the inhabitants at large exposed to very great hardships from the want of the necessary articles of barley, malt, and beer.

Your petitioners therefore pray, that your Majesty will be pleased to issue your royal proclamation for opening the sea-port of London for the importation of barley, for such times and from such counties as your Majesty in your wisdom shall think fit.

And your petitioner will ever pray.

At this time there is not more than two thirds of the usual crop of barley

in the kingdom. In the winter of the year 1773, on an emergency less dreadful than the present, the brewery stopped for three months, from January to March. At that time barley was sold at 30s. per quarter; it is now 35s. malt was then 40s. it is now 46s. and hops were then from 6l. to 7l. now they are from 9l. to 11l. 11s. On that memorable stoppage, the loss to government in point of revenue, amounted to an immense sum, and the public calamities and clamour were excessive.

The above petition was signed by Messrs. Whitbread and Co. Messrs. Calvert and Co. Messrs. Newman and Co. &c. in the brewery. By Messrs. Cooke and Co. and the house late Sir Joseph Mawbey and Co. distillers; and by Messrs. Porters, Hakken, and Rowth, in the malting trade; and, indeed, by every maltster, brewer, and distiller, in London and its environs.

In a few days after presenting the above petition, the following paragraph appeared in the morning papers:

We have the pleasure to inform the public, that the object and end of the petition and memorial from the brewers, maltsters, and distillers of the home counties presented to his Majesty, delivered by Samuel Whitbread, Esq. is answered, although not in the mode pointed out in the prayer. The Earl of Shelburne had a conference with the gentlemen of the several trades, when he stated three objections to the issuing a proclamation for the free importation of foreign barley at the port of London. He acknowledged the emergency of the crisis, and professed his willingness to interfere, as far as possible, in order to soften the national calamity; but his objections to the mode pointed out in the petition were, First, his extreme reluctance to extending the prerogative of the Crown. Secondly, his objections to going against an act of parliament,

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so lately passed, and which the wisdom of the legislature in so recent a review of the case had thought necessary. And thirdly, the circumstance of its being now so near the opening of the session, when a regular remedy might be found for the evil. These were his objections; but still the scarcity and dearness of barley was a matter of such alarming tendency, he was anxious that they could agree on some middle course, as a temporary expedient, until an act could be procured for the purpose. After some conversation it was settled, that an indemnification should be given by bond to the Custom House, for the payment of the high duty of a guinea per quarter on the barley imported, in the confidence, that those bonds should be discharged on the meeting of parliament. Mr. Whitbread, with that public spirit which always distinguishes him, immediately said, that he would give bond as far as ten thousand quarters, and trust to the wisdom and generosity of Parliament for his relief. The matter being thus settled, we understand, that the trade have already sent large orders to their correspondents on the Continent, and they expect in a few weeks a supply from the Baltic.

The Corporation of Leicester having, in July last, voted the freedom of that borough to Lord Rodney, it was presented to his Lordship, with the following letter:

*Leicester, Sept. 30, 1782.*

My Lord,

I have the honour of informing you, that this Corporation, in Common-hall assembled, on the 10th of July last, unanimously voted the freedom of the borough to your Lordship, "as a testimony of that high sense they entertained of your Lordship, for the very signal and brilliant services you had rendered your King and Country."

It is with great pleasure, that I obey the orders of this Corporation, as thereby an opportunity is offered me of adding, that no man more sincerely rejoiced at the success, nor more ardently applauded the valour and conduct of Lord Rodney, than

His Lordship's most obedient  
Humble servant,

JOHN HEYRICK, Town-Clerk.

On the 4th instant the following letter was received from his Lordship:

*Hertford Street, Oct. 2, 1782.*

SIR,

I am this moment favoured with your letter of the 30th of September, informing me that the Corporation, in Common-hall assembled, had, on the 10th of July last, voted me the freedom of the borough of Leicester.

You will lay me under a very particular obligation, Sir, if you will make my sincerest respects acceptable to the gentlemen of the Corporation, and assure them, that I think myself highly honoured in this mark of regard they have bestowed upon me; and that I shall be glad of any opportunity whereby I may prove myself worthy of the freedom of so very respectable a town as the borough of Leicester.

I beg, Sir, you will honour me with the acceptance of my most sincere thanks for the polite manner in which you have signified to me the honour conferred on me by the Corporation of Leicester, and believe me to be, with real truth and sincerity,

Your most obedient and

Most humble servant,

John Heyrick, Esq. RODNEY.

*Copy of a resolution in Chamber, at  
EXETER, and of a letter from  
Lord NORTH.*

*In Chamber, Exeter, Sept. 30, 1782.*

*Resolved unanimously,*

That the freedom of this city be presented to the Right Honourable  
Lord

Lord North, as a testimony of the veneration and esteem this body entertains of his Lordship's many eminent virtues, and distinguished abilities as a statesman; his fidelity and loyalty to his Royal Master, and the zeal and attention his Lordship has always shewn to the true interests of our most excellent constitution in church and state: and that the Town-Clerk do transmit a copy of the said resolution to his Lordship.

HIS LORDSHIP'S ANSWER.

*Walmer Castle, Oct. 6, 1782.*

SIR,

I have this moment received the favour of your letter of the 2d of this month, inclosing a resolution of the Chamber of Exeter, dated the 30th of September, in which they have been pleased to grant me the freedom of that city, by an unanimous vote; and I should appear insensible to that very flattering mark of distinction, if I did not take the first opportunity of returning my most grateful thanks for the honour they have conferred upon me. I am not vain enough to imagine that I deserve the high terms of commendation in which they have been so good as to convey their approbation of my poor services, but I feel so much the more the extent of my obligation to them for their favourable acceptance of my weak, but sincere endeavours to discharge the duties of that important station which I lately held in the service of the Crown. I must desire you, Sir, at the same time that you express, in the strongest manner, my gratitude to the Gentlemen of the Chamber, that you will assure them their kind attention to me will never cease from my remembrance; and that esteeming myself much honoured by the connection, which, through their goodness, I shall henceforth enjoy with the city of Exeter, I shall be always ready to obey their commands, and zealous to promote the interests of

my fellow-citizens to the utmost of my ability.

I have the honour to be,

With great respect, Sir,

Your most faithful, and

Most humble servant,

*Henry Ley, Esq.*

NORTH.

*Copy of a letter to the Lord Mayor  
from Rear-Admiral GRAVES.*

*Thanks, Oct. 27, 1782.*

MY LORD,

It is with the utmost satisfaction I have the honour to pray your Lordship to become the means of conveying to the captains of the merchant ships belonging to the port of London, who were the preservers of the lives of the company of his Majesty's ship the *Ramilies*, the following orders and approbation of the Lords Commissioners of the Admiralty, transmitted to me by their Secretary, viz.

"That their Lordships are highly  
"pleased with the humane and good  
"conduct of the masters of the  
"Belle, and of the other merchant  
"ships who were instrumental in  
"saving the lives of yourself, officers,  
"and people, which they desire  
"you will communicate to them,  
"letting them know, at the same  
"time, that orders will be given to  
"the Commissioners for victualling  
"his Majesty's navy, to reimburse  
"them whatever expences they may  
"have been at for victualling yourself  
"and such of the people as  
"they may have respectively received  
"on board, upon their producing  
"an account thereof to the  
"said Commissioners."

I have the honour to be,

My Lord,

Your Lordship's most obedient

And most humble servant,

THO. GRAVES.

*To the Right Hon. the Lord Mayor,  
London.*

*Copy*

*Copy of a note from Lord GEORGE GORDON to the Earl of SHELBURNE.*

" Lord George Gordon presents his compliments to the Earl of Shelburne; and begs his Lordship will do him the favour to inform him whether his Majesty's present Cabinet approve of the declaration made in the letter said to be written by Sir Guy Carleton and Admiral Digby to General Washington, " That his Majesty, in order to remove all " obstacles to that peace which he " so ardently wishes to restore, has " commanded his Ministers to direct " Mr. Grenville, that the Independency of the Thirteen Provinces " should be proposed by him, in " the first instance, instead of making it a condition of a general " treaty ? "

" Lord George would not have asked this question to satisfy any private curiosity, but he thinks it his duty to the King to acquaint Lord Shelburne, as Prime Minister, that great bodies of the people in the United Kingdom of Scotland are daily pressing Lord George, in the strongest terms, and in the most affectionate expressions, to write his sentiments to them on the present state of public affairs in the United Kingdoms; and Lord George finds, among other serious matters, that the late letter, said to be written by his Majesty's Commissioners at New York, not being publicly authenticated in the London Gazette, alarms the suspicions of those who ardently wish for peace with their brethren, that that letter is a forgery, and that peace with America is not intended; and on the other hand, not being contradicted by the King's present servants, it causes the greatest anguish and disgust to those who have conscientiously approved and supported the American war.

" The people of Scotland are much distracted and disturbed with

this apparent misunderstanding in the Cabinet of the United Kingdoms, thinking the honour of the United Kingdoms is trifled with; and they are anxious in the highest degree to receive some information that they may depend upon in so affecting a concern as the Independency of America is to their own national, particular, and immediate interests: Lord George therefore hopes Lord Shelburne will condescend to inform him whether the proposal of Independency, in the letter said to be written by the King's Commissioners, is, or is not, a measure to be adhered to by his Majesty's present Administration ?

" Lord George has the honour to assure Lord Shelburne, that he wishes he could understand and approve of the measures of the King's Counsellors, that he, and those who act with him, might have an opportunity of demonstrating the uprightness and loyalty of their proceedings and intentions, and of exerting themselves, according to their vocations, to the uttermost of their power, in support of good government, the true interest of the people, the honour and happiness of the King's Majesty and his posterity, and the true public liberty, safety, and peace, of the three kingdoms of England, Scotland, and Ireland."

*Welbeck Street, Oct. 15, 1782.*

*From the LONDON GAZETTE.*

At the Court of St. James's, the  
16th of October, 1782,

P R E S E N T,

The KING's Most Excellent Majesty  
in Council.

His Majesty having been pleased to appoint David Parry, Esq. to be Captain-General and Governor in Chief of the island of Barbados, he this day in Council took the oaths appointed to be taken by the Governors of his Majesty's Plantations.

*St.*



*St. James's, October 16.*

This day Lord Viscount Townshend killed his Majesty's hand, on being appointed Captain of a corps of Light Horse and Infantry, called the Norfolk Rangers; being composed of his Lordship's neighbours and principal tenants in that county.

*Admiralty-Office, October 22, 1782.*

*Extract of a letter from Rear Admiral Digby, Commander in Chief of his Majesty's ships in NORTH-AMERICA, to Mr. STEPHENS, dated at New-York, the 15th of September. Received the 11th instant.*

I desire you will acquaint their Lordships, that Captain Purvis, of his Majesty's sloop Duc de Chartres, in returning from the southward, fell in with a ship called the Aigle, of 22 guns and 136 men, belonging to the French King, from Cape François, with dispatches for their fleet, and after a very well-managed action of about an hour, he took her, and has brought her in here. The Duc de Chartres, notwithstanding her masts, sails, and rigging, were much shattered, had the good fortune not to lose a single man; but on board the Aigle, the First Captain was killed, the two next officers wounded, with twelve of the men killed, and thirteen wounded.

N. B. The Duc de Chartres has fifteen guns, and 125 men.

Admiral Pigot, Commander in Chief of his Majesty's ships at the Leeward Islands, has transmitted to Mr. Stephens, in his letters of the 15th of August and 14th of September, lists of prizes taken by the squadron under his command, of which the following are copies:

*Lists of vessels captured by the ships of his Majesty's fleet under the command of HUGH PIGOT, Esq. Admiral of the Blue, Commander in Chief, &c. &c.*

1782, August 6. By the Alesto freship—a schooner, laden with

salt; the salt taken out, and schooner scuttled.

— By the Jupiter and Enterprize—ship privateer Skuyllkill, 16 guns, 60 men, in ballast, from Philadelphia to Havannah.

— By ditto—polacca St. Joseph, 18 guns.

— By ditto—polacca Santa Christo, 16 guns, laden with wine, oil, and bale goods, from Cadiz to Havannah.

— By the Tartar and Jupiter—ship privateer Comte de Grasse, 16 guns, 140 men, in ballast, drove on shore to the westward of the Havannah, and burnt by her crew.

August 10. By the Germaine—a schooner laden with rice, from Campeachy to Havannah, taken in her passage from Jamaica; the rice taken out, the vessel set at liberty.

Aug. 10. By the Southampton—a sloop laden with rice; cargo taken out, and the sloop burnt.

August 12. By the frigates and boats of the fleet—ship Dolphin, 9 guns, laden with flour, from Baltimore in Maryland to Havannah. At the same time burnt a brig.

— By ditto—brig Flying-Fish, 14 guns, laden with flour, from ditto to ditto.

— By ditto—brig Bird, 13 guns, laden with flour, from ditto to ditto.

— By ditto—a brig, 6 guns, laden with mahogany.

August 13. By the Fortunate—a polacca, 10 guns, laden with bale goods and wine.

HUGH PIGOT.

*An account of ships and vessels taken and destroyed by the fleet under the command of HUGH PIGOT, Esq. Admiral of the Blue, &c. &c. &c.*

1782. By the Sybil—a brig laden with flour.

July

July 15. By the *Magicienne* and *Prudent*—French ship *Tea Bloom*, from Martinico to Europe, laden with sugar, &c.

— By ditto—French snow *Balm-bloom*, from ditto to ditto, laden with sugar, &c.

— By ditto—French brig *Junio*, from ditto to ditto, laden with rum and sugar.

August 17. Spanish polacre, *St. Joseph*, Thomas Claussel, master, 30 men, 6 guns, 280 tons, from Providence to Havannah, drove on shore by the *Germaine* in Yaco Bay.

August 24. By the *Germaine*—American schooner *Betsy*, Basil Lord, master, from Savannah to Providence, 3 men, 14 tons, laden with rice.

August 27. By ditto—American privateer schooner *Laurens*, Samuel Johnson, master, from Washington, North Carolina, on a cruise, 4 guns, 25 tons, 15 men.

August 30. By the *Marlborough*—American schooner, from Philadelphia to Providence, laden with flour.

September 1. By ditto—American sloop, from Providence to Philadelphia, laden with flour.

HUGH PICOT.

*Extract of a letter from Sir RICHARD PEARSON, Knight, Captain of his Majesty's ship the Arctusa, to Mr. STEPHENS, dated Halifax Harbour, August 31, 1782.*

In my way for Halifax, on the 20th, we came up with and captured, after a chase of 25 hours, the ship *Thorn*, from Boston, an American private ship of war (formerly his Majesty's sloop of war of the same name) and arrived with her at this port on the 24th.

*Extract of a letter from Capt. COURTENAY, of his Majesty's ship the Eurydice, to Mr. STEPHENS, dated at Spithead, October 21, 1782.*

Please to inform my Lords Commissioners of the Admiralty, that on

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the 14th instant, the *Isle of Bass* bearing E. S. E. at two P. M. I descried several fail to leeward, to which I gave chase, and at five came up with and captured the *Samea* brig, a French sloop of war, pierced for 18 guns, with 14 six-pounders on board, and 100 men; commanded by Mons. L. Duminey, part convoy to the above vessels (bound from L'Orient to Brest) which dispersed, and the night coming on made their escape. I am sorry to add, that, before the sloop's exchanging some shot with me, I had one man killed, and another wounded.

*Extract of a letter from Lieutenant DOBREE, commanding his Majesty's cutter the Jackall, to Mr. STEPHENS, dated Portsmouth, October 18, 1782.*

I beg you will please to acquaint my Lords Commissioners of the Admiralty, that cruising off the *Isle of Bass*, I fell in with and captured, after a chase of eight hours, the *Sylph* lugger, belonging to the French King, mounting 4 four-pounders, with 30 men on board, commanded by Le Sieur Paillet, Lieutenant de Frégate: she had been but two days from Boulogne, bound to Brest, and taken nothing.

*Extract of a letter from Commodore ELLIOT, to Mr. STEPHENS, dated on board his Majesty's ship Romney, in Portland Road, Oct. 19, 1782.*

The 17th instant, after two days chase, I captured the *Compte de Bois Gelin*, Mathew Gilbert, commander, a privateer from St. Maloes, of 12 guns and 60 men. This privateer had, on the 8th of this month, 12 leagues west of Scilly, taken the ship *Catherine*, — Angus, master, of London, from Jamaica, one of the homeward-bound West-India convoy, from whence she parted the 17th of September.

*Whitehall, October 26.*

The following letter has been written, pursuant to his Majesty's express

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press command, by the Right Hon. Thomas Townshend, his Majesty's Principal Secretary of State for the Home Department :

*Whitehall, Oct. 22, 1782.*

*To the Chairman of the Sessions of the Peace for the County of MIDDLESEX.*

SIR,

His Majesty being very much concerned at the frequent robberies and disorders of late committed in the streets of London and Westminster, and parts adjacent, and being informed that they are greatly imputed to the encouragement given to rogues and their accomplices, by persons who keep night-houses and cellars, which are resorted to by great numbers of loose and disorderly persons; and the gaming houses, as also the places where strong liquors are drank to excess, contribute much to the corruption of the morals of those of an inferior rank, and to the leading them into these wicked courses, has commanded me to recommend it, in his name, in the strongest manner, to the Justices of the Peace for the county of Middlesex, to employ their utmost care and vigilance in preventing and suppressing those disorders, by holding frequent petty sessions for this purpose in the several parishes, or other divisions, by calling before them the High Constables and other proper officers under their direction, and giving them the strictest orders and warrants, from time to time, as there shall be occasion, to search for and apprehend rogues, vagabonds, idle and disorderly persons, in order to their being dealt with according to law; and likewise to proceed with rigour as well against all persons harbouring such offenders, as against those who keep the said night-houses or cellars, tippling or common gaming-houses, or who practice and encourage unlawful gaming,

And his Majesty having very much at heart the performance of this service, wherein the honour of his government, the preservation of the peace, and the safety of his subjects, are so much concerned, doth hereby require the said justices, in their respective divisions, to draw up in writing, from time to time, an account of their proceedings herein, inserting the names of the justices attending such meetings, and of the peace officers whom they shall employ, taking particular notice of the zeal and diligence of each of them, in the performance of his duty; which accounts are to be transmitted from the said several sessions, to one of his Majesty's Principal Secretaries of State, to be laid before his Majesty; who being informed of their behaviour, may reward such of them as shall distinguish themselves in the faithful and diligent execution of their office; his Majesty not doubting but the justices on their part, will take care to punish with rigour, as by law they may, those who shall appear to have been guilty of corruption or negligence therein.

You will be pleased to acquaint the justices of the peace for the said county, and all others whom it may concern, with his Majesty's pleasure, that the same may be duly and punctually complied with. I am, &c.

T. TOWNSHEND,

Letters to the like effect have also been written to the Lord Mayor of London, to his Grace the High Steward of Westminster, the Chairman of the Sessions of the Peace for the city and liberty of Westminster, and likewise for the county of Surry, at St. Margaret's Hill.

*St. James's, November 2.*

George Arnold, of Hill-House, in the county of Northampton, Esq. was this day sworn one of the Gentlemen of his Majesty's Most Honourable Privy Chamber,

The

The King has been pleased to appoint Hugh Elliot, Esq. to be his Majesty's Envoy Extraordinary at the Court of Copenhagen.

The King has also been pleased to appoint Motton Eden, Esq. to be his Majesty's Envoy Extraordinary at the Court of Dresden.

*Admiralty-Office, Nov. 2, 1782.*

Vice-admiral Campbell, Commander in Chief of his Majesty's ships and vessels at Newfoundland, has transmitted to Mr. Stephens, in his letter of the 23d of September last, a list of prizes taken by the squadron under his command, of which the following is a copy:

May 20, 1782. Ship Viper, a privateer, 14 guns, 52 men, by the Leocadia.—June 28, schooner Penguin, a privateer, seven guns, 27 men, by the Placentia brig.—June 29, brig Lexington, a privateer, 13 guns, 48 men, by the Leocadia.—August 11, schooner Lord Sterling, a privateer, eight guns, 29 men, by the Placentia brig.—August 18, ship Junius Brutus, a privateer, 18 guns, 80 men, by the Leocadia, Merlin, and Cygnet.—Aug. 20, ship Thora, late his Majesty's sloop of that name, 18 guns, 71 men, laden with 10,000lbs. of indigo, and eight hogheads of tobacco, by the Arethusa.—August 23, brig Hope, a privateer, four guns, 29 men, by the Prince Edward brig.—August 27, ship Tyger, a privateer, 15 guns, 60 men, by the Danae.—September 6, schooner Widow's Son, 15 men, laden with 95 hogheads of tobacco, by the Danae.

*From the LONDON GAZETTE.*

*Admiralty-Office, Nov. 7, 1782.*

Captain Henry Duncan, of his Majesty's ship the Victory, arrived this morning with dispatches from Lord Viscount Howe, and also with dispatches from Captain Curtis, of the Brilliant, who commanded the

brigade of seamen at Gibraltar, of which the following are extracts:

*Extract of triplicate of a letter from Lord Viscount Howe, to Mr. STEPHENS, dated on board the Victory, October 21, 1782, Cape Spartel, E. N. E. 40 leagues.*

Reserving the more particular account of my proceedings to be delivered on my return to England, I send the Peggy cutter now to acquaint you, for the information of the Lords Commissioners of the Admiralty, that after much delay by contrary winds and very unfavourable weather, the fleet arrived off Cape St. Vincent on the 9th instant.

According to the advices previously obtained, I had reason to expect to find the enemy off Cape St. Mary's; but by authentic intelligence I had then an opportunity to procure, I learnt that the combined fleets, consisting of fifty sail of three and two decked ships, had taken a station, some time before, in Gibraltar Bay.

On the morning of the 11th, the fleet entered the Straits, and the van arriving off Gibraltar Bay a short time after the close of day, a very favourable opportunity offered for the store ships to have reached their destined anchorage without molestation from the enemy; but, for want of timely attention to the circumstances of the navigation, pointed out in the instructions communicated by Captain Curtis, only four of the thirty-one, which had kept company with the fleet on the passage, effected their purpose.

Very tempestuous weather in the night of the 10th had put two of the enemy's two decked ships on shore, a third lost her foremast and bowsprit, and a fourth had been driven under the works of the garrison and captured; two more went out of the Bay to the eastward. With the rest of their force they put to sea the evening of the 13th, to interrupt the introduction of the remaining store-

store ships; and having the wind at W. N. W. they bore down upon the fleet, then off Fangerolle, in order of battle. Upon sight of the fleet (standing to the southward) about nine that night, they appeared to haul to the wind on the larboard tack. In the morning of the 14th, the fleet being to the southward of the enemy six or seven leagues, and the wind changing soon after to the eastward, the opportunity was taken to pass such of the store-ships as were then with the fleet into the Bay.

On the night of the 18th, the rest of the store-ships, which had been ordered to a special rendezvous with the Buffalo, on sight of the enemy on the 13th (the Thompson victualler that had parted company in the mean time, excepted) were likewise anchored in Rosia Bay. The troops embarked in the ships of war, together with a large supply of powder, being landed at the same time, and the wants of the garrison amply provided for in every respect, I proposed taking advantage immediately of the easterly wind, which had prevailed the two or three preceding days, for returning through the Straits to the westward.

At break of day on the 19th, the combined force of the enemy was seen at a little distance to the N. E. The fleet being at that time so nearly between Europa and Ceuta Points, that there was not space to form in order of battle on either tack, I repassed the Straits followed by the enemy.

The wind changing next morning (the 20th) to the Northward, the combined fleets (consisting of forty-five or forty-six ships in the line) still retained the advantage of the wind.

The British fleet being formed to leeward to receive them, they were left, uninterruptedly, to take the distance at which they should think

fit to engage. They began their cannonade at sun-set on the van and rear, seeming to point their chief attack on the latter, and continued their fire along their whole line, at a considerable distance, and with little effect, until ten at night. It was returned occasionally from different ships of the fleet; as their nearer approach at times afforded a more favourable opportunity for making any impression upon them.

The enemy having their wind, and the British fleet keeping on all night with the full sail directed before the commencement of their fire, the fleets are now much separated; but as I conceive the knowledge of the relief of Gibraltar may be of much consequence at this time, I take the opportunity, while it is now almost calm, and the ships are refitting the damages they have sustained in their masts and rigging by the enemy's fire, to forward this dispatch without further delay.

P. S. The Minerva naval transport, with the baggage of the regiments embarked in the ships of war, separated from the fleet in the night of the 13th, and was, I hear, since taken by the enemy.

*Extract of a letter from Lord Viscount Howe to Mr. STEPHENS, dated on board the Victory, at Sea, October 24, 1782.*

SIR,

Deeming it essential to his Majesty's service, that the debarkation of the troops and stores at Gibraltar should be communicated to the Lords Commissioners of the Admiralty as soon as possible, I sent the Peggy cutter the 21st instant, with a general report of my proceedings, in execution of my orders to that period.

A duplicate of that report went in the Buffalo, ordered for England the next day, on account of the state of her wounded masts; and I enclose a triplicate of the same by this conveyance,

veyance, to connect the relation of the different circumstances respecting the employment of the fleet, which have since occurred. Some of the ships having sustained more damage in their masts and yards by the fire of the enemy on the 20th than was at first observed, the necessary repairs were not completed until the 22d. But as it was mostly calm in the mean time, no advantage could have been made of an opportunity to follow the enemy, (who, when last seen on the 21st, were standing off to the N. N. W. by the wind on the starboard tack) if the masts had been earlier secured.

A list of the killed and wounded will likewise accompany this dispatch. I have only to express my regret, that the little confidence the enemy shewed in their superiority, by keeping always as near as they could haul to the wind, prevented the full effect of the animated exertions, which I am sure would have been made by every officer and seaman in the fleet under my command, if they could have closed with their opponents: but as I judged such nearer approach could not then be seasonably attempted, I made no change in the disposition of the ships as formed at first to receive the enemy.

For similar reasons I do not dwell more particularly on the merits of the flag officers of the fleet on the same occasion, being certain they would disregard any commendations of their efforts against an enemy who declined giving them an opportunity to discharge the duty of their stations, in repelling a more serious attack: but at the same time I am reminded of the advantages derived to his Majesty's service, from the extensive knowledge of the difficult navigation within the Straits acquired by, and the unremitting assiduity of, my first Captain, Leveson Gower.

Having had but very little wind from the N. E. chiefly since the 21st, I cannot much longer, with prudence, (under the reduced state of the water and stores in many of the ships) make the pursuit of the enemy's fleets, which I suppose are on their return to Cadiz, the first object of my attention.

Captain Duncan, of the *Victory*, taking his passage in the *Latona*, is charged with this dispatch; and as Captain Curtis, who was sent off to me for the last time on the 19th, with General Elliott's confidential sentiments, could not be put on shore again, in consequence of the return of the enemy from the Eastward that morning, I have appointed him to command the *Victory* for the time being, until their Lordship's pleasure is signified for his future conduct.

*Return of the killed and wounded, from the fire of the Combined Fleets, the 20th of October, 1782.*

#### LINE OF BATTLE.

*Van Squadron, or of Command in Second Post.*

##### *First, or Starboard Division.*

*Goliath.* Four seamen or marines killed; 1 lieutenant, 1 master, 14 seamen or marines wounded.

*Ganges.* Six seamen or marines killed; 1 captain, 22 seamen or marines wounded.

*Royal William.* Two seamen or marines killed; 2 lieutenants, 11 seamen or marines wounded.

*Britannia (V. A. BARRINGTON)* Eight seamen or marines killed; 1 boatswain, 12 seamen or marines wounded.

*Atlas.* Two seamen or marines killed; 3 ditto wounded.

*Ruby.* Six seamen or marines wounded.

##### *Second, or Larboard Division.*

*Panther.* One midshipman, 2 seamen killed; 11 seamen, 3 marines wounded.

*Foudroyant.*

**Foudroyant.** Two seamen, 2 marines killed; 1 midshipman, 7 seamen or marines wounded.

**Edgar (Commodore HORTHAM)** Six seamen or marines wounded.

**Polyphemus.** One master, 1 purser, 1 midshipman, 1 seaman wounded.

**Suffolk.** None killed or wounded.

**Vigilant.** One seaman or marine killed; 2 ditto wounded.

**Center Squadron, or of Commander in Chief.**

*First, or Starboard Division.*

**Courageux.** One midshipman killed; 4 seamen wounded.

**Crown.** One seaman or marine wounded.

**Alexander.** Two marines killed; 4 seamen or marines wounded.

**Sampson.** Two marines killed.

**Princess Royal.** One seaman or marine killed.

**Victory. (COMMANDER IN CHIEF.)** None killed or wounded.

*Second, or Larboard Division.*

**Blenheim.** Two seamen or marines killed; 3 ditto wounded.

**Asia.** None killed or wounded.

**Egmont.** One seaman or marine killed.

**Queen (R. A. HOOD.)** One seaman or marine killed; 4 ditto wounded.

**Bellona.** None killed or wounded.

**Rear Squadron, or of Commander in Third Post.**

*Second, or Starboard Division.*

**Raisonable.** One seaman or marine killed.

**Fortitude.** One seaman, 1 private of the 2d regiment, killed; 4 seamen, 5 privates of the 2d regiment wounded.

**Princess Amelia (R. A. Sir R. HUGHES.)** 4 seamen or marines killed; 5 ditto wounded.

**Berwick.** One lieutenant killed; 5 seamen wounded.

**Bienfaisant.** Two seamen or marines killed; 4 ditto wounded.

*First, or Larboard Division.*

**Dublin.** None killed or wounded.

**Cambridge.** One midshipman, 3 seamen killed; 2 midshipmen, 4 seamen wounded.

**Ocean (V. A. MILBANE.)** None killed or wounded.

**Union.** Four seamen, 1 marine, killed; 15 seamen or marines wounded.

**Buffalo.** Three seamen, 3 marines, killed; 1 boatswain, 1 midshipman, 13 seamen, 1 marine, wounded.

**Vengeance.** 3 seamen killed; 1 lieutenant, 2 midshipmen, 11 seamen, wounded.

**Total.** 68 killed; 208 wounded.

**Frigates, &c.** as before, except the *Tifiphone*, disarmed, and laden with powder, left at Gibraltar the 19th instant.

*Officers names killed and wounded.*

**Goliath.** Mr. Wheatly, Third Lieutenant, and Mr. Wooden, Master, slightly wounded.

**Ganges.** Capt. Fielding wounded in the arm.

**Royal William.** Mr. Willis, Second Lieutenant, lost his right thigh, the Third Lieutenant wounded in leg and arm.

**Britannia.** Boatswain wounded, lost his leg.

**Panther.** Mr. Robert Sturges, Midshipman, killed.

**Courageux.** Mr. Augustus Hervey, Midshipman, killed.

**Berwick.** Mr. John Lampen, Fourth Lieutenant, killed.

**Cambridge.** Mr. Baxter, Midshipman, killed.

**Buffalo.** Boatswain and Master's Mate, wounded.

**Vengeance.** Second Lieutenant, Eastly, wounded.

Killed	—	—	68
Wounded	—	—	208

**Total killed and wounded** 276

Howe.  
Extract

*Extract of a letter from Captain CURTIS, of his Majesty's ship, Brilliant, to Mr. STEPHENS, Secretary of the Admiralty, dated Camp at Europa, Gibraltar, Sept. 15, 1782.*

Be pleased to acquaint my Lords Commissioners, that the combined fleet of France and Spain, consisting of thirty-eight sail of the line, arrived in this bay on the 12th instant; six sail of the line were here before.

At eight o'clock in the morning of the 13th, the ten battering ships of the enemy, lying at the head of the bay, under the command of Admiral Moreno, began to get under sail, in order to come against the garrison; every thing was in readiness for their reception. At ten the Admiral's ship was placed about one thousand yards from the King's bastion, and commenced his fire.—The others were very shortly afterwards posted to the north and south of him, at small distances asunder, and began their cannonade. They were all fixed to the stations allotted them in a masterly manner. Our batteries opened as the enemy came before them: The fire was very heavy on both sides: The red hot shot were sent with such precision from the garrison, that in the afternoon the smoke was seen to issue from the under part of the Admiral, and one other; and men were perceived to be using fire engines and pouring water into the holes, endeavouring to extinguish the fire. Their efforts proved ineffectual; by one o'clock in the morning the two before-mentioned were in flames, and several others actually on fire, though as yet not in so great a degree. Confusion was now plainly observed among them, and the numerous rockets thrown up from each of the ships, was a clear demonstration of their great distress: Their signals were answered from the enemy's

fleet, and they immediately began to rake away the men, it being impossible to remove the ships: I thought this a fit opportunity to employ my gun-boats, and I advanced with the whole (twelve in number, each carrying a twenty-four, or eighteen-pounders) and drew them up so as to flank the line of the enemy's battering ships, while they were annoyed extremely by an excessive, heavy and well-directed fire from the garrison. The fire from the gun-boats was kept up with great vigour and effect. The boats of the enemy durst not approach; they abandoned their ships, and the men left in them to our mercy, or to the flames. The day light now appeared, and two falcons, which had not yet escaped, endeavoured to get away; but a shot from a gun-boat killing five men in one of them, they submitted. The scene at this time before me was dreadful to a high degree, numbers of men crying from amidst the flames, some upon pieces of wood in the water, others appearing in the ships where the fire had as yet made but little progress, all expressing, by speech and gesture, the deepest distress, and all imploring assistance, formed a spectacle of horror not easily to be described. Every exertion was made to relieve them; and I have inexpressible happiness in informing my Lords, that the numbers saved amount to thirteen officers and 344 men. One officer and twenty-nine wounded (some of them dreadfully) taken from among the slain in the holds, are in our hospital, and many of them in a fair way. The blowing up of the ships around us, as the fire got to the magazines, and the firing of the cannon of others, as the metal became heated by the flames, rendered this a very perilous employment; but we felt it as much a duty to make every effort to re-

lieve



Save our enemies from so shocking a situation, as an hour before we did to assist in conquering them. The loss of the enemy must have been very considerable. Great numbers were killed on board, and in boats. Several launches were sunk. In one of them were four score men, who were all drowned, except an officer and twelve of them, who were floated under our walls upon the wreck. It was impossible that greater exertions could have been made to prevent it, but there is every reason to believe that a great many wounded perished in the flames. All the battering ships were set on fire by our hot shot, except one, which we afterwards burnt. The Admiral left his flag flying, and it was consumed with the ship.

A large hole was beat at the bottom of my boat; my coxswain was killed, and two of the crew were wounded by pieces of timber falling on her when one of the battering ships blew up. The same cause sunk one of my gun-boats and damaged another.

Two of the enemy's bomb ketches were brought forward, and continued to throw shells into the garrison during the attack of the battering ships.

A considerable detachment of seamen did duty as artillerymen upon the batteries, and gave great satisfaction.

The officers and men of the brigade of seamen under my command, in whatever situations they were placed, behaved in a manner highly becoming them.

I have the honour to enclose herewith a list of the battering ships. They were of different sizes, from 1400 to 600 tons burthen. Their guns, in all 212, were brass twenty-six pounders, and entirely new.

The enemy had collected, from different ports between two and three hundred large boats, besides a vast

number belonging to this vicinity, to be employed in carrying troops, or any other services connected with their operations against this fortress.

The loss in the Brigade of seamen on the 13th and 14th, considering the nature of the attack, has been very trifling, having had only one killed and five wounded.

*State of the combined force of the enemy in the Bay of Gibraltar, at the time of the attack of the ten battering ships, on the 13th of September, 1782.*

Spanish ships of three decks	2
Of the line	28
French ships of three decks	5
Of the line	9
	44

Spanish ships from 50 to 60 guns	3
Battering ships	10
Floating battery	1
Bomb ketches	5

Besides frigates, xebecs, many smaller cruisers, a great number of gun and mortar boats, and a multitude of other boats.

ROGER CURTIS.

*A list of the Spanish battering ships burnt before Gibraltar on the 14th of September, 1782.*

	Guns In use.	Guns In reserve
Pastora, the Admiral	21	10
Paula, Prima	21	10
Talla Piedra	21	10
El Rosario	19	10
St. Christoval	18	10
Principe Carlos	11	4
Paula, Secunda	9	4
Saint Juan	9	4
Saint Anna	7	4
Los Dolores	6	4
	142	70

Total of guns - 212

The proportion of men on board them was thirty-six for each of the guns

guns in use, exclusive of officers and the marines for working the ships.

ROGER CURTIS,

*Extract of a letter from Captain CURTIS, of his Majesty's ship Brilliant, to Mr. STEPHENS, Secretary of the Admiralty, dated Camp at Europa, Oct. 16, 1782.*

On the evening of the 8th inst. it being deemed proper to use all means to send home an account of the late events at this place, which had hitherto been impossible, the Governor purchased a small vessel, and she was sent off for Leghorn, or any other port in Italy, with our dispatches.

On the afternoon of the 10th, it blew very fresh from the south-west. The enemy made signals along shore, and two frigates and a cutter arrived from the westward. Towards the following morning the gale increased; and guns of distress were heard from the combined fleets in the bay. Just at the break of day, the Saint Michael, a Spanish ship mounting 72 guns, was discovered very near the garrison in a crippled state, and after having two men killed and two wounded, from the fire of our batteries, he fell on shore near to the South Bastion. As the day advanced, the fleet of the enemy appeared to have suffered considerably by the gale. A ship of the line and a frigate were on shore near the Orange Grove; a French ship of the line had lost her fore-mast and bow-sprit. A ship of three decks and another of the line were forced from their anchors and ran to the eastward; several others were driven far over towards the garrison, but withal to the northward. I took possession of the Saint Michael as soon as possible, landed the prisoners, and carried out anchors to prevent her going farther on shore. I have no doubt of saving her: She is a very fine ship, and was commanded

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by Don Juan Moreno, a Chef D'Escadre, and on board about 650 men.

At three in the afternoon of the 11th, the signals made by the enemy indicated the approach of the British fleet. The Latona anchored in the bay soon after sun-set. Only four of the convoy fetched into anchorage, the remainder were driven to the back of the rock, to which place the fleet also repaired.

*Extract of a letter from Captain CURTIS to Mr. STEPHENS, Secretary of the Admiralty, dated on board the Victory at sea, October 22, 1782.*

The Admiral, Lord Howe, having conducted the remaining ships of his convoy into the Bay of Gibraltar on the evening of the 18th, and landed the troops at the same time, General Elliott charged me with the final communications his Excellency had to make to his Lordship, and I embarked on board the Latona frigate, for the purpose of repairing to the Victory, and left the bay about midnight. The situation of the enemy's fleet the next morning, cut off my return to Gibraltar, and I was put on board this ship in the evening, when the fleet brought to, after it had gained the Atlantic.

I have great pleasure in acquainting my Lords, that the St. Michael, a Spanish man of war of 72 guns, which being driven from her anchors in a gale of wind very early on the morning of the 11th, and captured under the walls of Gibraltar, as mentioned in my letter of the 16th, was got off on the 17th, and has not received the least damage. She is a very fine ship, of large dimensions; and I am sorry that having lost her mizen-mast, and the most of her stores being taken out to lighten her, it was impossible to send her home with the fleet.

The enemy threw a prodigious  
A a a number

number of shells at the St. Michael, when she was on shore, with the intent to destroy her; and they annoyed us excessively in the getting her off, but without any obstruction to our work, or doing us any material damage.

• The following are said to be copies of two letters which lately passed between the Duc de Crillon, and General Elliott:—

*Camp of Buenavista, Aug. 19, 1782.*

"SIR,

"His Royal Highness Comte d'Artois, who has received permission from the King, his brother, to assist at this siege, as a volunteer in the combined army, of which their Most Christian and Catholic Majesties have honoured me with the command, arrived in this camp the 15th instant. This young Prince has been pleased, in passing through Madrid, to take charge of some letters, which had been sent to that capital from this, and which are addressed to persons belonging to your garrison; his Royal Highness has desired that I would transmit them to you, and that to this mark of his goodness and attention I should add the strongest expressions of esteem for your person and character. I feel the greater pleasure in giving this mark of condescension in this august Prince, as it furnishes me with a pretext, which I have been anxiously looking for these two months that I have been in this camp, to assure you of the high esteem I have conceived for your Excellency; of the sincere desire I feel of deserving yours; and of the pleasure to which I look forward of becoming your friend, after I shall have learnt to render myself worthy of the honour of facing you as an enemy. His Highness the Duke de Bourbon, who arrived here twenty-four hours after Comte d'Artois, desires also that I should assure you of his particular esteem,

Permit me, Sir, to offer you a few little trifles for your table, of which I am sure you must stand in need: as I know you live entirely on vegetables, I should be glad to know what kind you like best. I shall add a few partridges for the gentlemen of your household, and some ice, which I presume will not be disagreeable, in the excessive heat of this climate, at this season of the year. I hope you will be obliging enough to accept the small portion which I send with this letter.

I have the honour to be, &c."

*His Excellency General Elliott, &c.*

The Answer.

"SIR, *Gibraltar, Aug. 20.*

"I find myself highly honoured by your obliging letter of yesterday, in which your Excellency was so kind as to inform me of the arrival in your camp of his Royal Highness the Comte d'Artois, and the Duke de Bourbon, to serve as volunteers at the siege. These Princes have shewn their judgment in making choice of a master in the art of war, whose abilities cannot fail to form great warriors. I am really overwhelmed with the condescension of his Royal Highness, in suffering some letters for persons in this town to be conveyed from Madrid in his carriages. I flatter myself that your Excellency will give my most profound respects to his Royal Highness, and to the Duke de Bourbon, for the expressions of esteem with which they have been pleased to honour so insignificant a person as I am.

"I return a thousand thanks to your Excellency for your handsome present of fruits, vegetables, and game; you will excuse me, however, I trust, when I assure you, that in accepting your present, I have broken through a resolution, which I had faithfully kept since the beginning of the war; and that was, never

ever to receive, or procure by any means whatever, any provisions or other commodity for my own private use; so that, without any preference, every thing is sold publickly here, and the private soldier, if he has money, can become a purchaser, as soon as the Governor. I confess I make it a point of honour to partake both of plenty and scarcity, in common with the lowest of my brave fellow soldiers; this furnishes me with an excuse for the liberty I now take, of entreating your Excellency not to heap any more favours on me of this kind, as in future I cannot convert your presents to my own private use. Indeed, to be plain with your Excellency, though vegetables at this season are scarce with us, every one of us has got a quantity proportioned to the labour he has bestowed in raising them. The English are naturally fond of gardening and cultivation; and here we find our amusement in it, during the intervals of rest from public duty.

"The promise which the Duc de Crillon makes to honour me; in proper time and place, with his friendship, lays me under infinite obligations; the interests of our Sovereigns being once solidly settled, I shall with eagerness embrace the first opportunity to avail myself of so precious a treasure.

I have the honour to be, &c."

*His Excellency the Duc de Crillon, &c.*

The following is a complete return of the forces in garrison at Gibraltar on the 24th of July last, fit for duty:

	Officers.	Priv.
12th regiment of foot	23	642
39th ditto,	— 18	597
56th ditto,	— 27	872
58th ditto,	— 25	900
72d ditto,	— 17	730
73d ditto,	— 39	816
Corsican corps,	— 5	237

Hanoverian Haden- bairg's,	31	716
Ditto, La Motte's,	22	649
Ditto, La Ruyden's,	25	483
Artillery Company,	29	612
	251	7234

The subalterns are included in the number of privates, as there is no distinction under an Ensign in the general return.

The forces that embarked in Lord Howe's fleet amount to upwards of three thousand, so that the garrison amounts to near eleven thousand men.

The number of sick, on the above date, were two hundred and sixty-five unfit for hard duty, though some appeared in the ranks occasionally.

*From the Supplement to the Gazette de France of the 29th ult.*

*Extract of a letter from Captain de la PEROUSE, commanding one of the divisions of his Majesty's fleet, to the Marquis de CASTRIES, Secretary of State for the marine department, dated on board the Sceptre, in the Straights of Hudson, September 6, 1782.*

"You have been informed of my sailing from Cape François on the 31st of May last, with his Majesty's ship the Sceptre, of 74, and the frigates L'Afric and L'Engageante, under the respective commands of the Chevalier de Langle, and the Sieur de la Jaillé, Lieutenants in the navy, for an expedition in Hudson's-bay: I had taken on board at St. Domingo the following land forces: 250 men, drafted from the regiments of Armagnac and Auxerrois, and 40 artilleryists, together with two eight-inch mortars, 300 shells, and four cannon. The above detachment was under the command of the Sieur de Rostaing.

A a a 2

Major

Major of Armagnac. The Sieur de Cettain, Captain of Artillery, in the service of the Colonies, had the detail of the ordnance; the Sieur Moneron, Captain in the corps of engineers, was to direct the operation of sieges, whilst the Sieur de Mansuy, Captain engineer of the Colonies, was appointed to take the drafts and charts of the coasts and bays which we were to visit.

“ Nothing happened to me remarkable during my navigation, till July 17th, when I discovered about 12 at night the island Résolution. I had not sailed 20 leagues up the Straits of Hudson, when I found myself every instant surrounded with new obstacles of every kind. The ships under my command remained entangled for several days amongst the ice, so far indeed that our sailors could go on foot from ship to ship.—The frigates greatly suffered, and were so damaged in their sterns as to alarm me about their safety: The Sceptre was in the most imminent danger of losing its rudder. Every thing was new for us in this navigation; and that very circumstance occasioned my neglecting to provide ice-anchors, which would have proved of the utmost utility; at last, on the 30th of July, I came in sight of Cape Walsingham, the most westerly part of the Straits. I had had hitherto no other rule to steer by than a few points determined geometrically, inserted in the *Practical Navigator*, and by the means of which Mr. de Mansuy and myself had sketched out a chart which we altered in proportion as the hazy weather would permit us to descry land.—I now thought all difficulties overcome, and was in the utmost impatience to reach Fort Prince of Wales. This was the place I had set down for my first attack. I had not an instant to lose, as the rigour of the season renders those seas impervious to all

shipping about the beginning of September. But I had to undergo a further trial of patience. As I was sailing in perfect security in Hudson's Bay, I found myself on the 3d of August, involved in a thick mist. I soon was surrounded with pieces of ice, a situation that compelled me to haul in the wind. Two hours after the mist disappeared, and I perceived the three ships entangled in the ice, which extended itself out of sight: This gave birth to a well-grounded apprehension, that I had missed the right time for my operations, and I was on the point of sending back my own ship, and one of the frigates, resolved to winter it there myself in the other, with part of the troops under the command of Major De Rostaing, in hopes of being able, at the beginning of the next season, to destroy the English settlements: but on the 5th of August, the ice that surrounded my ship began to give way, and I resolved to cut a passage through it by means of crudd-ed sails; however dangerous the trial might prove to my little Squadron, I was so lucky as to succeed; and on the 8th of August at night, could perceive the English colours flying on Fort Prince of Wales. I approached, sounding all the way, within one league and an half, and dropped anchor with my division in eighteen fathoms of water, muddy bottom. An officer was instantly dispatched by me, for the purpose of sounding, and he assured me it was very practicable for our ships to draw very near the fort.—I was further informed, that if the enemy should offer to oppose any resistance, the Sceptre would be sufficient to keep them under; every thing was instantly prepared for landing, but the night grew very dark, and the tide was against us: It was two o'clock in the morning before the boats were under way. We landed without

without the least opposition, three quarters of a league distant from the fort, which is built with free-stone, and seemed calculated to make an obstinate resistance. Major de Roafcaing advanced with his detachment within gun-shot, and then halted: but perceiving that the enemy made no shew of resistance, he sent them a summons to surrender. Not the least difficulty was thrown in his way. The gates flew open, and the Governor, with his garrison, surrendered, at discretion. A prodigious quantity of merchandises of all kinds were found in the fort, the ordnance was in the best condition, and all their magazines were topped with lead.

“As I have not a moment to lose for the purpose of putting an end to my operations in the Bay of Hudson, I resolved to commit every thing to the flames, except a few beaver hides, and other furs, which were put on board the *Astree*. I gave up to the savages whatever they thought proper to carry away, especially powder and shot, as these people wholly live on the produce of their hunting.

“On the 11th, I sailed in my way to Fort York, the chief place of the English settlements in the Bay, but I here met with difficulties, far greater than those which I have encountered since my arrival into these seas. I was well aware that the coast was infested with rocks and shoals; I had no chart, and our prisoners obstinately refused to give me the least information; at last, after taking an infinite deal of precaution, and having escaped the dangers that surrounded us on all sides, sailing by seven or eight fathoms on a rocky bottom, I reached the entrance of Nelson River, where I came to anchor the 20th of August, within five leagues of the shore; as good luck would have it, I had strengthened my squadron with the addition of three boats, taken at

Fort Prince of Wales. They proved of the utmost service; I had entrusted them to the command of Mr. du Bordieu, a Swede, and an Englishman in the navy, Doré, lieutenant of a frigate; and Carboneau, a fisherman. It would have been impossible for any body to be of greater service than the three above-named officers, founding a-head, and endeavouring to discover Hays river, on which Fort York stands, and where near approach I knew to be impracticable for every ship of burthen.

“On the 18th of August, Mess. Du Bordieu and Carboneau, each in their boat, and the Sieur Le Fevre in that belonging to the *Sceptre*, took an exact survey of the said river. I waited for them at our moorings, eight leagues at sea, out of sight of the land. They had minutely set down the soundings, and being returned on board, served as guides and pilots. On the 20th of August, my division dropped anchor on a good sandy bottom. The next day, in the morning, I prepared to land: I thought it advisable, having nothing to fear from the enemy on the sea-side, to bring up the van. Our great distance from shore might have suggested to the enemy the means and resolution of opposing us, which could not so well be the case at Fort Prince of Wales, by reason of the easy access my ship had to the latter settlement. I ordered Chevalier de Langle to follow me, and gave to the Sieur de la Jaille the command of the division, assisting him, that the landing once effected, I should return on board the *Sceptre*, and leave Chevalier de Langle to command the boats, which, with their crews, were to remain on shore till the surrender of the fort.

“Hays Island, on which stands Fort York, is at the mouth of a large river, which it divides into two branches; the one called Hays, and the other Nelson's River. I knew that all the enemy's means of defence

defence was along Hays's River. There was, moreover, a ship belonging to the Hudson's Company, mounting 26 nine-pounders, and anchored in the mouth of the river, which is full of sand banks.

"The currents are very violent, and the ebb and tide succeed each other with great rapidity; our boats might have run and remained on ground within gun-shot of the Fort, and it highly concerned us not to give the enemy so favourable an opportunity. I therefore steered my course for Nelson-river, knowing full well that our land-forces would have above sixteen miles to march; but then by this means we effectually rendered useless the batteries erected along Hays's-river. On the evening of the 21st we arrived with our *flotilla* of boats at the entrance of Nelson-river. My boats, including those taken at Fort Wales, were 12 in number, with 250 men; my mortars, cannon, and eight days' provision. Matters were so disposed that we had nothing to require from the ships, with which it was not easy to settle a communication, as they were obliged to stand off at a great distance. Ordered the boats to drop anchor in three fathoms sounding, at the mouth of the river, and accompanied by Chevalier de Langle, Messrs. Rostaing and Monneron. I went before, sounding all the way up the river, on which I supposed the enemy might have made some preparations to oppose our landing. At five o'clock P. M. we were got near enough the fort, and the Company's ship, for the enemy, with their spy-glasses to be able to distinguish the colour of our regimentals. A gun, loaded with shot, was fired from the ship, and answered by the fort. This, I supposed to be a signal for their troops to file off towards Nelson-river; what I had most to apprehend was from savages, whom the English might have in-

duced to take up arms against us, by supplying them with gunpowder and brandy.

"As I proceeded in my soundings for the space of three miles, I found that Nelson-river could not be entered: The smallest boats could not approach it nearer than 100 fathoms distance, the remaining space being soft and muddy: we therefore determined to remain on an anchor all night, and wait till the next morning; but the tide-ebbing much lower than I had at first imagined, my boats anchored in two fathoms and an half, and were left a ground by three o'clock in the morning. Chevalier de Langle proposed to Major Rostaing to walk over the mud, and thus get on shore. This was agreed to; all our men with their firelocks shouldered, waded for a quarter of a mile through the mud knee deep, and we at last reached a meadow, or rather marsh, distant half a league from the woods. The troops then formed themselves into battle array, and marched about three miles in their way to the woods, where we were in hopes to find a dry path that would lead us to the fort. — A prisoner to whom he had been very liberal, had offered to be our guide; he pointed out to us a road, which, upon being reconnoitred by Major Rostaing, was judged impracticable; yet we have since been informed, that it was the best in the island. We spent the whole day in fruitless search for roads that were not to be met with. I resolved at last to cut one out through the woods and bogs, which I attempted to effect by means of the compass; Mess. Monneron and De Mansay, took upon them that very fatiguing task. We pitched our tents by the skirts of the wood, and at night notice was given that there was a morass to go over up to the knees in mud.

"During the night the wind blew so hard a gale, that I was in the

the greatest anxiety about my ships that were at anchor close to the coast, in a place where the sea is uncommonly boisterous, and where the bottom, though muddy on the surface, is full of little rocks, so sharp as to cut the cables asunder. I did really resolve to endeavour all I could, in order to join my divisions. The landing being effected, I thought myself no longer justified in continuing on shore, especially when the ships were in the greatest danger. I ordered Chevalier de Langle to take the command of the boats, and I hastened to the sea shore; but the storm continuing still to rage, I could not get on board. I improved, next day, the opportunity of a short interval, and reached the ships an hour before another gale sprung up. The *Sieur Carboneau*, who had set out with me, had his boat wrecked, but was so lucky as to escape with his crew; they returned on board three days after, having, during that time, subsisted on roots and wild fruits. The *Engageante* lost two anchors in the second squall, as did also the *Astree*. If the storm had lasted a few hours longer, the latter must have been lost, with its crew, consisting of 300 men.

"The wind having abated on the 26th, I was informed that our land forces had arrived before the fort in the morning of the 24th, and that, on the first summons sent in by Major Rostang, the gates were opened, not before, however, a capitulation was asked, and granted. I sent word to the Major to destroy every thing by fire, and instantly reembark; this he did with all possible dispatch.

"However I saw once more my plan overthrown by a fresh hurricane, in which the *Engageante* was again in the utmost danger; its third anchor broke; as did also the bar of the rudder, besides his great boat

being lost: at last the fine weather returned, and I had the satisfaction, on the 31st of August, to see Fort York on fire, and Major Rostang, with all his men, making towards us in a large vessel belonging to the Hudson's Company, and taken by me in the river. At night he came to an anchor about a league distant from the Sceptre, on board of which I received him next morning. I weighed anchor without loss of time, having on board the three Governors of the Forts Prince of Wales, York, and Severn: the latter is a small settlement within York's district. I did not think it worth while to destroy it, being of no kind of importance, but especially because my ships having lost both their boats and anchors, and above 300 of our people being ill, we could do nothing better than leave those seas, which from August 25th, are more tempestuous than the English channel in January.

"I compute the loss sustained by the Hudson's-Bay Company, upon an average, at between ten and twelve million of livres. I took care when Fort York was ordered to be burnt down, to spare a considerable magazine, situate beyond the reach of the flames; where I caused to be deposited, provisions, gunpowder, lead, firelocks, and a certain quantity of European goods, the most proper to be exchanged amongst the savages, in order that several English inhabitants, who I know have fled to different parts, may, on their return, find in that magazine, the means of procuring a subsistence, until the Court of London may be informed of their situation. I am well assured, this part of my conduct will meet with his Majesty's approbation; and that by making such provision for those unfortunate, I have duly anticipated the King's benevolent intentions.

The



The following letter was received from Mr. Hastings by Mr. Sullivan, by the last dispatches from India. Governor Johnstone emphatically called it a Lacedæmonian epistle.

( COPY. )

Fort William, April 13, 1782.

" MY DEAR FRIEND,

" I write but for your private satisfaction: the general letter contains all. A new scene has opened on the coast, the French and Hyder united. I hope, and expect soon, to see all the powers in India united against them. Mr. Anderson is confident. Our advices from Poona, Nangpoor, and Hyderabad, are equally favourable. We shall make no advances this year for the investment, but that already provided will, with the subscription fund, be more than sufficient for the next year's tonnage. I am promised a regular remittance, by bills to Madras, of five lacks monthly. This will be almost equally a relief to Madras and Bengal. Here, in Benares, in Oude, all our affairs prosper. I can answer for this Government: its exertions shall equal your most sanguine wishes; and I have no fear for their effects, where we direct them. Our expences will be great, but a very few years of peace will retrieve them.

" Your son is well. Adieu.

" Your's ever,

" (Signed) WARREN HASTINGS.

" P. S. We have news that the Northumberland arrived at Vizagapatam on the 3d instant, having left the Magnanime, Sultan, seven Indiamen, and the Tartar, on the 27th of March, three days sail to the southward of Madras. It is private intelligence, but undoubted, and I have not time to wait for better authority.

W. H."

The affairs of Bengal were in so ticklish a situation, in point of finance, before the late reinforcement of Cheyt Syng's Treasury, that it was imagined some remittances must have been sent them from the other presidencies to pay their annual expenditure. Governor Hastings however has been lucky in resources.

*Hagar, Oct. 13.* His Most Serene Highness the Prince of Orange and Nassau has delivered in person the following Memorial, which to all appearance gave general satisfaction:

*High and Mighty Lords,*

We now find ourselves able to make good the promise made by us some time ago, of laying before your High Mightinesses a regular account of our endeavours and operations before and during the domestic and foreign dissensions which threaten the Republic with irreparable ruin; and at the same time that the journals of your High Mightinesses, and those of the Lords the States of all the provinces, may bear an everlasting testimony to our real intentions, and love for the country; as also a full refutation of all prejudices and mistrusts which for some time, and with too much success, have been infused in the minds of a people, among whom we were born and educated, and whose welfare and prosperity being inseparably connected with that of our house, constitute a part, nay, the most essential part, of our own personal happiness. We have been under the necessity, not only to enter into some minutiae which have been insisted upon, in order to throw a necessary light over the ~~opinion~~ of our actions and operations, without which no just opinion can be formed of any one's intentions and conduct, but also to acquaint your High Mightinesses, and the Lords the States

States of the respective provinces, with some particulars which have not come to their knowledge. And whereas our intention is to revive that mutual confidence and harmony, without which it is impossible to rescue the country from the imminent dangers it is exposed to, we have thought it becoming in us carefully to guard against hazarding any reflections that might occasion fresh animosities, or lessen that regard and esteem which are reciprocally due to each ruling member of government. Actuated by the same principle, we have cautiously avoided taking any pointed notice of those unguarded expressions, by the employing of which in several letters, propositions, and messages, the writers have deviated from that necessary discretion, in regard to ourselves. We have simply adhered to the pointing out of such facts and events as will convince every impartial man, not only amongst our cotemporaries, but also unprejudiced posterity, that if it is deemed that by our conduct we have not secured all possible advantage, at least it will appear our intentions have ever been purely with no other view than such as we thought, and still persist to think, the most conducive to the true interest of the country.

In the mean time, as we make no doubt but that the Memorial, containing a full and minute account of our principal operations, especially in what regards the navy of this State, will perfectly answer our purpose, we think ourselves entitled to expect, from the patriotic and equitable sentiments of your High Mightinesses, that you, in concert with the confederate States, will assist us in draining the source from whence spring those troubles and intestine broils, before it is too late, by taking such measures as shall appear effectual and convenient, against those criminal endeavours that tend

daily to undermine the present form of government, as also to subvert the very foundation of the administration of affairs.

Hague, Oct. 6, 1782.

And lower was written,  
Of your High Mightinesses,  
The obedient servant,  
(Signed)

WILLIAM, PRINCE OF ORANGE.

The above having been deliberated upon, the Deputies of the respective Provinces have taken copies of the foregoing Memorial, that the same may be communicated more at large to their constituents.

DUBLIN, Oct. 8.

*The following notice was yesterday filed in the Exchange Coffee-house.*

Dublin-Castle, Oct. 7, 1782.

SIR,

I am commanded by my Lord Lieutenant to acquaint you, that his Majesty's ship the Cormorant is arrived in this bay, and with the Industry revenue cutter, will take under convoy the linen ships bound to Chester. Upon her return from that service, the Cormorant will continue on this station till the 27th instant, when she will be ready to convoy the trade bound to Bristol; of which I request you will take the trouble of informing the other gentlemen concerned.

I am, Sir, &c.

W. W. GRENVILLE.

Mr. H. Hamill.

Last Friday se'nnight, the Privy Council sat at the Castle, on the subject of encouraging and providing a suitable asylum for the Genevese, who may prefer living under our free government; to the mutilated constitution of their Republic; when it was unanimously determined to recommend the matter in the strongest

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manner

manner to his Majesty's royal consideration, and, in consequence, dispatches to that purpose were sent off the next day; since which we hear with pleasure, that his Majesty has most graciously prevented their wishes, by declaring he would exert the royal bounty in their favour, by a grant of 25,000*l.* to defray the expences of the emigrants from their country to Ireland, and a like sum in aid of their establishment when arrived. Besides the offer made the Genevese by the Earl of Ely, of a settlement in the county of Wexford, the Duke of Leinster has made not only a similar offer in the county of Kildare, but added thereto such encouragements as it is thought will determine the emigrants immediately to begin their journey.

Saturday, at a Post Assembly of the Lord Mayor, Sheriffs, and Commons, to take into consideration the conduct of certain persons who are beating up for Fencible Regiments in this city, Mr. Tardy, on the sheriffs declaring there was a House, immediately rose, and introduced the resolutions which he was prevented on a former day from laying before them. They consist chiefly of a declaration that Parliament, on granting five thousand regulars to assist Great Britain, had certainly considered this nation in a perfect state of safety, and that no event whatever had since that period changed the scene so as to cause an increase in the military establishment; that they were injurious, and an insult to the volunteer army, and tended to lay additional burthens on the people; and being done without the concurrence of an Irish Parliament, ought not to be suffered to be placed on our establishment; therefore it was necessary to instruct the representatives of the city to oppose any grant of money for their support, and likewise to request the magistrates to use their utmost en-

deavours to suppress them. Mr. Sankey, who on a former day had prevented the sense of the Sheriffs and Commons from being taken on this important matter, by insisting on telling the House, was now obliged to have recourse to another stratagem; for finding, by the number of gentlemen who attended, that there was no probability of succeeding in that way, he now proposed that the Sheriffs should leave the chair, which, after a short debate, was rejected by a majority of thirty-three. The principal resolutions then passed unanimously, and one or two with only a single negative.

The supporters of the resolutions were,

Mr. Tandy	Mr. Worthington
Mr. Binn	Mr. Mulhern
Mr. Howison	

The opposers

Mr. Sankey	Mr. Wilson
Mr. James Magee	

The only objection the opposers had (for argument they did not pretend to) was, that the people ought not to interfere with the higher powers, but leave the entire management to themselves—Blessed doctrine! Happy, thrice happy Dublin, in such wise, virtuous, and spirited citizens.

This day the Duke of Leinster beat up again for naval recruits, and we are proud to say, with great success, notwithstanding the Fencible parties, who are beating up in all parts of the city, under their umbrella commanders, as they are now styled from the appearance some of these gentry made last Saturday at the head of their mercenary bands, covered with their silken shields.

Lord Temple seems to have imported with him some very impudent and hot-headed scribblers. One of them, speaking of the present Administration's conduct in supporting the *Fencible scheme*, observes—"severe under the sanction of Parliament,

ment, they give it their full and decided support." Probably this writer has reckoned without his host, and that Parliament will convince the *Temple Ministry* they will not countenance such a notorious job. But what a hint of *meditated corruption* does this term secure convey? This *tell-tale* paragraphist ought to be whipt back to England, till he has learned his lesson better in the school of ministerial politics.

Another paragraph in a morning paper says,—“The Common Council of Dublin intend opposing their King for levying troops with the consent of Parliament.” This is what is properly styled *barefaced-writing*. We know that Parliament unanimously voted five thousand of the King's troops out of the kingdom: and possibly it will be some time before they will vote them back again; but that Parliament did not vote for a single *mercenary Fencible*, but considered their independent and disinterested *Volunteers*, as the *best Fencibles*, is too stubborn a fact to be denied—Ergo *six Fencible regiments* under *Government pay*, are levying *without* the consent of Parliament.

The Genevese gentleman who was lately in the city on the business of emigration, is a person of great character and considerable property. He has received the greatest encouragement and marks of favour from the Ministers in Great Britain and Ireland, and is now on his return to his native country, in order to prepare all matters respecting this great business. Previous to his quitting this place, he got himself naturalized, and enrolled in a volunteer corps, in the uniform of which, being, as he termed it, that of liberty; he proposes travelling through the continent of Europe; there being no character so respectfully held in esteem as that of an Irish volunteer.

A correspondent, who is a thinking man, observes, that, since the

opening of the press, no paragraphs of intelligence have more deserved the attention of the public, than some that have lately appeared concerning the consequences that have happened of laying poison on the mountains and bogs of this kingdom. It appears, that on all trials for murder by poison, proof of the acquisition and possession of poison has been a circumstance necessary to the conviction of the guilty person. At this hour there are many thousand acres of ground in this kingdom thickly strewed with poison, by which the detection of that plan of murder, which is the first to occur to the malignant mind, is rendered almost impossible.

#### PARSONSTOWN VOLUNTEERS.

At a meeting of the Parsonstown Volunteers, Oct. 16, 1782,

Resolved unanimously, That the insidious scheme for raising fencible provincial regiments conveys a censure on the wisdom of Parliament, insinuating that it was negligent in providing for the security of the kingdom, at the time it diminished the regular forces appointed for its defence.

Resolved unanimously, That it is a high insult on the spirit of the Volunteers; is calculated more to sow dissensions among those constitutional guardians of Ireland, than intended for the defence of the kingdom.

Resolved unanimously, That as we always have been, so we always will be, ready to co-operate with the standing army in times of emergency, but that we never will co-operate with any Fencible or Provincial regiments, lest it might be insinuated as a tacit declaration, that the Volunteers, without their assistance, were insufficient for the protection of Ireland.

Resolved unanimously, That we will give every legal opposition to a measure which we are convinced will materially

terially affect the tranquillity of this kingdom; and that we will have no dealings or intercourse, public or private, with any publican or house-keeper, without exception, in this town or neighbourhood, that shall give any entertainment or accommodation whatsoever, to any Fencible or Provincial recruiting party, other than they are entitled to by law.

Resolved unanimously, That the Representatives in Parliament, for this county, be requested to give every opposition in their power to the granting any supplies for the raising, arming, or payment of the Fencible or Provincial regiments.

Signed by order,

SAM. ABBOT, Lieut. and Sec.

#### DROGHEDA ASSOCIATION.

At a meeting of the Drogheda Association, specially called, at the Tholsel Drogheda, on Monday, October 21, 1782,

Lieut. Col. LYONS in the Chair,

Resolved unanimously, That the Volunteer Associations of this kingdom, ought to be estimated by every true friend of Ireland, as a security to liberty, and a sufficient defence against foreign invasion.

Resolved unanimously, That, however well intended the raising of Provincial or Fencible regiments might have been, they appear to us at this particular period inexpedient.

Resolved unanimously, That it is our decided opinion, that no member of a Volunteer corps should enter into, or encourage the raising of said regiments.

Resolved unanimously, That we will not in any sort co-operate with the troops so raised, and stiled Fencible or Provincial regiments,

Resolved unanimously, That we will at all times, with one heart and one mind, support his Majesty's crown and dignity, the due execution of the laws of this land, and the maintenance and preservation of the rights

and liberties of the people of Ireland.

Resolved, That the foregoing resolutions be published in the different news-papers.

Signed by the Chairman,

HUGH M'LYONS, Lieut. Col.

Lieut. Col. Lyons having quitted the chair, and Major Chessure being voted into it,

Resolved, That the thanks of this meeting be given to Lieut. Colonel Lyons, for his conduct in the chair.

Signed by order,

THOMAS MATHEWS, Sec.

#### UNION LIGHT DRAGOONS.

At a full meeting of the troops of Union Light Dragoons, of the City of Dublin, on Monday the 21st of October, 1782,

ROBERT CORNWALL, Esq.

Capt. Commandant in the chair,

The following resolutions were unanimously agreed to:—

Resolved, That Irishmen, armed in defence of their civil and religious liberties, ought to be attached to any country or body of people who have stood forward in support of so glorious a cause.

That we behold with admiration and applause the late noble (though unsuccessful) struggles of the virtuous citizens of Geneva, to support inviolate their rights and privileges, and who no longer looked on that country which gave them birth as their own, the moment it was deprived of its liberty.

That we cannot but with pleasure applaud the wise and prudent measure adopted by Government, in offering those brave and virtuous people an asylum in this kingdom—a measure, should it take place, we conceive, would be attended with many real advantages to this nation.

Resolved therefore, That should those virtuous citizens prefer an asylum in this country, from the cruel hand of tyranny, we shall receive them with open arms, and that, upon

on all occasions, we will consider them entitled to our warmest attention and support.

The copy of a letter from his Grace the Duke of Leinster, addressed to Mr. D'Ivernois, as representative of the inhabitants of Geneva, in this kingdom, having been read,

Resolved, That our sincere thanks are justly due, and hereby presented to his Grace the Duke of Leinster, for his desire to promote the welfare of this kingdom, testified by his unexampled generosity, in offering to accommodate those virtuous race of men with two thousand acres of land, and to convey to them in fee for ever, without accepting any consideration for the same.

Resolved, That the foregoing resolutions be published in the different news-papers.

ROBERT CORNWALL, Chairman.

#### CLANRICARDE CAVALRY.

At a general meeting of the Clanricarde cavalry, convened at Loughrea, on Sunday the 20th of October, 1782,

The following resolutions were unanimously entered into :

Captain PATRICK D'ARCY, of Killa, in the chair,

1st. Resolved, That a comprehensive Bill of Rights passed by our Parliament, ascertaining and confirming on a solid, permanent, and unalterable basis, the laws, liberties, and legislation of Ireland, both internal and external, is the best security against future violation.

2d. Resolved, That the volunteers of Ireland are fully adequate to its protection and defence from enemies of every denomination.

3d. Resolved, That the alacrity and spirit with which they make a tender of their services, in the Carlisle administration, to oppose a threatened foreign invasion, deserve the confidence of government, and shew our enemies that any attempt

to disturb the tranquility of this kingdom, while its volunteers remain united, must prove fruitless and abortive.

4th. Resolved, That raising six new regiments, under the title of Fencible or Provincial, is a measure productive of the most alarming and pernicious consequences, as it creates a useless and unnecessary expence to the nation, already sinking under the weight of an immense public debt, and innumerable taxes, and aims a mortal blow at the guardian corps of the kingdom, by endeavouring to seduce, weaken, and divide the volunteer army, which must ever prove its surest and most natural safeguard,

5th. Resolved, That raising those mercenary bands at this time, implies an ill-founded and unjustifiable diffidence in the volunteers, which no part of their principles or conduct authorizes.

6th. Resolved, That we will not review, or do duty with any corps that admits a fencible.

7th. Resolved, That we will discountenance by every legal method in our power the raising of men for said fencible regiments, being convinced that not the real defence of the kingdom against a foreign enemy, but the corrupting of the servants of the people, and other schemes of the most malignant and dangerous tendency, are hidden under the specious pretence of apprehensions for the safety of this kingdom from a foreign force, and particularly as every engine of ministerial influence and craft is exerted to complete those new levies, to the prejudice of, and in preference to, filling up the old regiments, which they are by some thousands short of their complement, and who being commanded by officers of experience and skill, would be adequate to the just purposes of government, than a set of raw men, who, having never seen service, will very probably be unfit for any military

litary operation of consequence during the continuance of the present war.

8th. Resolved, That we look upon the advisers and promoters of the fencible scheme, as enemies to the inherent and just rights of Irishmen, and are therefore of opinion, that a meeting of the gentlemen, clergy, and independent freeholders of this county, should be speedily held in some convenient town, to consider of such constitutional steps as may appear proper to be taken at this important crisis, and that our high sheriff be requested to give public notice of such meeting.

9th. Resolved, That one of the many ill effects attending the bearing up for fencibles, will be the obstrueting, if not the putting an entire stop to recruiting for the sea-service, which proves the planners to be bad politicians, and no friends to the prosperity and glory of the British empire.

10th. Resolved, That our worthy member, Giles Eyre, of Eyrecourt, Esq. having at so early a period of life distinguished his love for the volunteer corps, and general welfare of his country, by refusing both for himself and his brother, commissions in the fencibles, deserves, and has the thanks of this meeting.

Captain Patrick D'Arcy having left the chair, and Walter Lambert, Esq. having been called to it,

Resolved, That the thanks of this meeting be given to Captain Patrick D'Arcy, for his very polite, spirited, impartial, and proper conduct in the chair, Signed by order,

PATRICK SKERRET, Sec.

#### CLANRICARDE INFANTRY.

At a general meeting of the Clanricarde Infantry, at head quarters, Loughrea, on Sunday the 20th of October, 1782,

Major BURKE in the chair,

11th. Resolved, That the spirit,

yet well-known moderation of the volunteers of Ireland, have placed them in a point of view the most conspicuous in the eyes of Europe, and their resolutions in a light the most interesting to their country, whose liberty they have not only rescued, but whose laws they have supported, and whose constitution they are determined to maintain against all domestic as well as foreign enemies.

2d. Resolved, That any measure apparently calculated to diminish their numbers, weight, or independence, is of a dangerous tendency, and should (as is happily the case) rouse the attention of this kingdom, and be reprobated with the most indignant marks of her resentment.

3d. Resolved therefore, That if the raising fencible or provincial regiments had been in no other light exceptionable, either as tending to increase the influence of the crown, or to lay an additional burthen on the people, yet in this instance alone it is sufficiently obnoxious, and cannot be too publicly condemned.

4th. Resolved, That if it be necessary to add to the military force in this kingdom, we conceive completing the regiments on the establishment to their full complement, and if requisite (which we suppose will not be the case) to form additional companies to those regiments, would prove equally effectual, and by far less expensive than the raising of fencibles; a scheme fraught, if not with intentional, at least with the most suspicious and alarming motives of corruption.

5th. Resolved, That the manifest generosity of our Parliament, in granting five thousand men of this establishment to aid Great Britain, and in voting twenty thousand men for the navy, is repaid with insult, instead of gratitude, contempt instead of confidence, by introducing and

and persevering in a measure, so highly repugnant to the sentiments of the nation.

6th. Resolved, That any member of this corps, who accepts of a commission in a fencible regiment, shall be expelled, and his name be published in the public papers, as an enemy to the volunteer cause.

7th. Resolved, That we will not only discourage, but as far as lies in our power, prevent the raising or enlisting of fencibles; that we will not on any emergency do duty in conjunction with any body of men under that description; and that we shall consider any person who becomes a fencible, or who will assist in raising such men, as an enemy to his country, and unworthy the protection of the volunteers of Ireland.

8th. Resolved, That the reliance we have on his Majesty's paternal attachment to this country, gives us the strongest reason to hope, that so soon as the voice of his faithful people shall reach his royal ear, he will give orders to put a stop to a measure at once so injurious and inimical to the interest of his kingdom.

Major Burke having quitted the chair,

Resolved, That the thanks of this corps be returned to our worthy chairman, Major Burke, for his very proper conduct on this, as well as on every other occasion,

Signed by order,  
MYLES BURKE TULLY, Sec.

*From the LONDON GAZETTE.*

*Whitehall, November 16.*

The letters, of which the following are copies and extracts, from the Right Honourable General Elliott, Governor of Gibraltar, were received on Thursday last at the Office of the Right Honourable Thomas Townshend, his Majesty's Principal Secretary of State for the Home Department:

( C O P Y . )

*Gibraltar, Sept. 15, 1782.*

MY LORD,

The enemy having collected his whole force by sea and land; forty-four sail of the line, besides three inferior two deckers; ten battering ships, five bomb ketches, several frigates and xebecques, a great number of gun and mortar boats, a large floating battery, many armed vessels, and near three hundred boats, purposely constructed for carrying troops:

Their land batteries mounted with above one hundred pieces of cannon, and an equal number of mortars and howitzers:

An army of near forty thousand men:

On the 13th instant, at eight in the morning, all the battering ships commanded by Don Buenventura Moreno, Rear-Admiral, were put in motion, and came forward to the several stations previously determined they should take up: The Admiral being placed upon the capital of the King's bastion, the other ships extending three to the southward of the flag, as far as the church battery; five to the northward, about the height of the Old Mole; and one a very little to the westward of the Admiral; by a quarter before ten, they were anchored in line, at the distance of a thousand to twelve hundred yards: Immediately a heavy cannonade began from all the ships, supported by the cannon and mortars in the enemy's lines and approaches: At the same instant our batteries opened with hot and cold shot, from the guns; and shells from the howitzers and mortars. This firing continued without intermission, on both sides, until noon, when that of the enemy from their ships seemed to slacken, although but little. About two o'clock the Admiral's ship was observed to smoke, as if on fire, and a few men busy upon the roof, searching for the



the cause. Our batteries never discontinued: The enemy's fire from the ships gradually decreased. About seven in the evening they fired from a few guns, and that only at intervals. At midnight the Admiral's ship was plainly discovered beginning to burn; an hour after it was completely in flames: Eight more of the ships took fire in succession. Signals of distress being now made, the launches, feluccas, and boats of the whole fleet, began to take out the men from on board the burning ships. Many shot were still fired from those in which the flames had yet made no considerable progress; and the fire from the enemy's batteries on shore did not in the least diminish. Brigadier Curtis, who, with his squadron of gun boats, lay ready to take advantage of any favourable circumstance, left the New Mole at two o'clock, and about three formed a line upon the enemy's flank, advancing and firing with great order and expedition; which so astonished and disconcerted the enemy, they fled precipitately with all their boats, abandoning the ships, in which some officers and numbers of their men, including many wounded, were left to perish. This unavoidably must have been their wretched fate, had they not been dragged from amidst the flames by the personal intrepidity of Brigadier Curtis, at the utmost hazard of his own life, a life invaluable to his Majesty's service. For some time I felt the utmost anguish, seeing his Pinnace close to one of the largest ships at the instant she blew up, and spread her wreck to a vast extent all round. The back cloud of smoke being dispersed, I was again revived by the sight of the Pinnace, little apprehending that the Brigadier was in the utmost danger of sinking, some pieces of timber having fallen into, and pierced the boat, (killing the coxswain, and wounding others of the men) scarce any hope left of

reaching the shore: Providentially he was saved by stopping the hole with the seamen's jackets, until boats arrived to their relief.—One of our gun boats was sunk at the same moment.

In the course of the day the remaining eight ships severally blew up with violent explosions; one only escaped the effect of our fire, which it was thought proper to burn, there being no possibility of preserving her.

The Admiral's flag remained flying on board his ship, till she was totally consumed.

Your Lordship will be pleased to inform his Majesty, that the royal artillery additional gunners and marine brigade only could be employed on this service, which they executed with the deliberate coolness and precision of school practice, but their exertion was infinitely superior. The fire was incessant, and the batteries abundantly supplied with ammunition; every soldier in the garrison, not on duty, eagerly pressing to share in the honourable labours of the day. The enemy's daring attempt by sea was effectually defeated by the constant and well supported fire from our batteries; but the well-timed, judicious and spirited attack made by Brigadier Curtis, rendered this success a complete victory.

The enemy's loss, killed, burnt, drowned, and wounded, must have been great indeed.

I inclose a list No. 1, of the ships destroyed; No. 2, of prisoners taken, all by Brigadier Curtis, except one Spanish officer with eleven French soldiers, who out of fourscore escaped on the wreck of their boat. Two large launches from the fleet were taken with the officers and men belonging to them. The sincere gratitude all the prisoners of war expressed for their deliverance from the various horrors that surrounded them, afforded the highest satisfaction to humanity.

I am

I am happy to say, my Lord, that notwithstanding the enemy's violent effort, our loss has not been great in numbers; yet such gallant individuals must be ever regretted.

Captain Reeves of the Royal Artillery, was the only officer killed, and is much to be lamented for his knowledge and constant unwearied attention to every duty. Our wounded officers will all do well; and we are hopeful not to lose many of the soldiers.

The Duke de Crillon, a General of the highest reputation, having the Chief Command of the Allied Forces, Princes of Royal Blood of France, dignified characters of Europe, First Nobility of Spain, and Great Military Officers, being present with the besieging army, an amazing concourse of spectators, that filled the camp, and covered the adjacent hills on this occasion, induce us to believe, the combined powers had formed the most sanguine expectations of success from their battering ships, deemed perfect in design, compleated by dint of prodigious labour, and unlimited profusion of expence; and, by common report, pronounced invincible.

I am, my Lord, with respect,

Your most obedient and  
most humble servant,

G. A. ELIOTT.

*To the Earl of Shelburne,*

*Ec. Ec. Ec.*

*For the lists of the ships destroyed, and prisoners taken, referred to in the above letter, see page 358.*

( C O P Y. )

*Gibraltar, Sept. 28, 1782.*

MY LORD,

The public dispatches will be delivered by Captain Vallotton, my First Aid de Camp, who is sufficiently well informed to answer any farther particulars your Lordship may wish to have minutely explained.

Captain Vallotton is an active, intelligent, and zealous officer: If  
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his Majesty is graciously pleased to bestow any mark of favour upon him, I am sure he will never prove undeserving.

I am, my Lord, with respect,

Your most obedient and  
most humble servant,

G. A. ELIOTT.

*The Earl of Shelburne,*

*Ec. Ec. Ec.*

( E X T R A C T. )

*Gibraltar, Oct. 2, 1782.*

The night of the 30th ult. between ten and twelve, the enemy's mortar boats threw a number of shells for the town, incampments, and hospital: At the same time the land batteries increased the quantity of their fire; but no injury was done to our works, stores, or magazines.

*Extract of the returns of killed and wounded in the several corps at Gibraltar, from the 9th of August to the 17th of October, 1782, inclusive.*

Six serjeants, 1 drummer, 58 rank and file, killed.

Two majors, 2 captains, 2 captain-lieutenants, (one since dead) 6 lieutenants, (one since dead) 20 serjeants, 2 drummers, 366 rank and file, wounded.

*Names of officers wounded.*

58th Regiment. Lieutenant Whittham.

72d Regiment. Major Horsfall.

73d Regiment. Captain M<sup>c</sup>Kensie, Lieutenant Wharton, Lieutenant Kenneth M<sup>c</sup>Kensie.

Artillery. Major Lewis, Captain Grove, Captain-Lieutenant Seward, Lieutenant Boag, Lieutenant Godfrey.

*Wounded and since dead.*

Artillery. Captain Lieutenant Reeves, Lieutenant Grumly.

(Signed)

G. A. ELIOTT.

*Extract of a letter from Lord Viscount Howe, Admiral of the Blue, Ec. Ec. Ec. to Mr. STEPHENS, dated*  
C c c 91

*on board the Victory, off St. Helen's, the 14th of November, 1782.*

In addition to the contents of my last letter of the 24th, I am to inform you, that as soon as the masts of the ships, damaged by the enemy's fire, were properly secured, the first opportunity was taken (on a light breeze from the N. E. succeeding the calm which intervened) to stand to the Northward the 22d at night, under all the sail possible, with requisite care for keeping the fleet duly connected, to get up again with the enemy.

The wind continuing in the same quarter 'till the 25th, and more Easterly the three following days, the same pressed sail was carried as before; but as the enemy, who had persisted to avoid a renewal of the action of the 21st, could not (as the wind since remained) be forced thereto, except by working in with the Barbary shore for an uncertain time, which the state of the ships in many respects did not admit, I brought the fleet to, on the 28th, to prepare the detachments directed by my instructions at that period.

*Extract of a letter from HUGH FIGOT, Esq. Admiral of the Blue, &c. &c. &c. to Mr. STEPHENS, dated on Board the Formidable at New-York, the 9th of October, 1782: Received November 16, 1782.*

I inclose a list of prizes sent in by His Majesty's ships since my arrival. I cannot give their Lordship's a better account of the taking the L'Aigle, a very fine frigate, than by enclosing Captain Elphinston's letter to me.

*List of vessels captured by the ships of his Majesty's fleet, under the command of HUGH FIGOT, Esq. Admiral of the Blue, Commander in Chief, &c. &c. &c.*

1782. Sept. 6. By the Vestal. Brig Dolly, laden with sugar, &c. bound to Boston.

Sept. 7. By the Jason and Grana. Ship Phoenix, laden with tobacco, bound to Naples.

Sept. 9. By the Amphion. Schooner Betsey, laden with tar, turpentine, &c. bound to Rhode Island.

Sept. 11. By the Lion. Sloop Polly, laden with flour, tar, pitch, &c. bound to Providence.

By the Grana, Jason, and Albacore. Brig Sybil, laden with tobacco.

By the Amphion. Schooner Squirrel, laden with tobacco and flour, bound to St. Thomas's.

Sept. 12. By the Warwick. Ship Sophia, laden with dry goods, bound to Philadelphia.

Sept. 15. By ditto. Ship of war L'Aigle, bound to Philadelphia.

Sept. 16. By the Amphion. Brig Commodore Galvez, laden with sugar, bound to Cadiz.

Sept. 18. By ditto. Ship San Elroy, laden with sugar, indigo, and hides, bound to St. Andre, Old Spain.

Sept. 27. By the Jason. Brig New Orleans, laden with flour, bound to New Orleans.

Sept. 28. By ditto. Ship Jolly Tar, laden with flour, bound to Havannah.

Sept. 29. By the Fortune. brig Diana, laden with flour and corn, bound to Havannah.

Oct. 1. By ditto. A sloop, laden with melasses, salt, &c. bound to Rhode Island.

Oct. 3. By the Lively sloop, Charles, laden with stock, bound to Turks Island.

Oct. 9, 1782. HUGH FIGOT. Warwick, at Sea, Sept. 22, 1782. SIR,

I have the honour to inform you, that in the evening of the 11th, some strange vessels were discovered from on board his Majesty's ships Lion and Vestal, which were chased in consequence of my signal, and occasioned

occasioned our separation. On the morning of the 12th, five sail were seen from off the deck; two were to windward, whose appearance led me to think they were enemies; the three to leeward, I have every reason to believe, were his Majesty's ships under my orders; these circumstances induced me to chase to windward; about seven in the morning I was joined by the Bonetta sloop; Captain Keats informed me that the ships to windward were men of war, and had declined to answer the private signals which we had offered to them the night before. Thus joined we continued the chase, tacking occasionally until nine, when a third ship stood across from the Eastward, shewing signals unknown to me, and firing guns; so soon as he found the signals were not answered, he changed his course, as I did my chase; this latter being the nearest and leewardmost, at twelve o'clock the chase hoisted French colours, and soon after struck; it was the Sophie, from Bayonne to Philadelphia, with a cargo on board, armed with 22 nine-pounders, 104 men, completely fitted for war, and quite new. From the prisoners I learnt, that the Sophie had parted from L'Aigle and Gloire, two French frigates, having a brig under their convoy for America; and that the frigates had many passengers of rank on board, with a large sum of money. By this time the Lion and Vestal were at no great distance; I sent an officer to Captain Focks to use every effort to gain the Delaware, and there to anchor in such a situation as would most effectually prevent the enemy from entering; and that I would follow in his Majesty's ship the instant the prisoners were shifted: at this time the wind was out of the river, blowing strong. On the 13th at day-light, the enemy were seen at anchor without Cape Henlopen light-house, with his Majesty's brig Racoon in com-

pany, their prize; the signal was made to chase; the enemy weighed and ran into the river. At this instant the wind shifted to the eastward, which enabled the Warwick and Vestal to weather them. Being thus cut off from the proper Channel, it remained only for the French Commodore to determine whether he would bring to and engage a superior force, or attempt finding a passage among the Sand Banks called the Shears, where his Majesty's ships, by reason of their drawing more water, might not be able to follow them: He chose the latter, and ran up the false channel, where I did not hesitate to follow, for though the risk was great, the object was considerable. Unfortunately neither of the King's ships had a pilot; here the enemy had an advantage, as I am well informed the pilot of the Racoon had not honesty enough to resist the offer of 500 louis d'ors, and that he took charge of their ships. About twelve o'clock I was obliged to anchor on account of shallow water, and was joined by the Lion, Bonetta, and Sophie prize ship: The enemy anchored at the same time. The boats of the squadron were ordered out to sound, and the Bonetta, Captain Keats, to go ahead, and lead in the best water. In this manner we kept sailing and anchoring, as circumstances permitted, until the 15th, the enemy all this time retiring with the same precautions. At three in the afternoon the signal was made to weigh; soon after the enemy were under sail, evidently in great confusion, changing their course frequently on account of shallow water. About six in the evening, the Bonetta made the signal for being in shallow water, and very soon after to anchor immediately, which was done in four fathoms and a half. A boat came on board to inform me, that it was impossible to advance further; however, to counterbalance this mortification,

mortification, we had the satisfaction to see the largest of the enemy run a-ground and stick fast. I sent Mr. Lock, first Lieutenant, of the Warwick, with orders to Captain Fox, of the Vestal, and Captain Keats, of the Bonetta, that they should run upon each quarter of the enemy, as near as possible, and attack. Mr. Lock, after having delivered my orders, was directed to take command of the Sophie, now furnished with 150 men from the Warwick and Lion, and join the attack. In justice to these officers, I must acknowledge that my orders were put in execution with a celerity and address which does them credit. The Vestal ran a-ground close on the starboard quarter, the Bonetta within two hundred yards on the larboard quarter; and the third ship placing herself under the stern, the French Commodore found himself obliged to surrender, on the Vestal's beginning to fire, not having a gun to bear on any of our ships; thus owing to the good conduct of the Capts. and other officers employed on this service, and the activity of the men, was L'Aigle of forty guns, the finest frigate ever sent forth from Europe, taken possession of for his Majesty. She was commanded by Comte La Touche, bearing a broad pendant, an officer of great reputation, and, if I may be allowed an opinion, who made great exertion to extricate himself from his difficulties; he cut away the masts and bored the bottom before she struck. L'Aigle mounts twenty-eight guns on the main deck, twenty-four pounders, and twelve nine pounders on the quarter-deck and fore-castle, with upwards of 600 men on board. The Baron Viominil, Commander in Chief of the French army, Mons. La Va de Montmerancy, Duke Launay, Viscount de Fleury, and some other officers of rank, escaped on shore in

the same boats which took away a great part of the treasure; two small casks and two boxes have fallen into our hands; the Gloire drawing less water than L'Aigle got up the river. So soon as the King's ships were got off the ground and in safety, every body was employed to save the prize, which was much labour, under the management of Captain Focks, was effected on the 17th. On the 20th, in running down the Bay, I observed two brigs, who had been prevented from getting up the river, in the act of landing their cargoes. I ordered the Vestal to dislodge the people on board, and send the boats to burn them, which was done.

I have the honour to be,

With great respect, &c.

K. G. ELPHINSTON.

*Admiral Pigot.*

P. S. The Ragoon's ship's company are all retaken in the Aigle, except the pilot, who escaped in a boat with some French officers; all the guns are British cast, the ship only two years old, very lately coppered; she is longer than the Warwick, upwards of 1200 tons, as I am informed.

G. K. E.

*Extract of a letter from HUGH PIGOT, Esq. Admiral of the Blue and Commander in Chief, &c. &c. to Mr. STEPHENS, dated on board the Formidable, at New-York, Oct. 13, 1782.*

Captain Payne, of the Enterprize, is this day arrived from a cruise off Boston, and has brought in with him a privateer of twenty guns and 120 men, which he took the day after she left Boston.

Since my last, the Santa Margareta has brought in a privateer of twenty guns, two others have been drove on shore, and other cruizers have sent in several small prizes.

END OF THE FOURTEENTH VOLUME.



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